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Illinois Register

Rules of Governmental Agencies

Volume 23, Issue 42 — October 15, 1999

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ILLINOIS REGISTER

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Issue 16 - Dated April 16, 1999	Data Through March 31, 1999
Issue 29 - Dated July 16, 1999	Data Through June 30, 1999
Issue 42 - Dated October 15, 1999	Data Through September 30, 1999
Issue 3 - Dated January 21, 2000	Data Through December 31, 1999 (Annual)

INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

REGISTER PUBLICATION SCHEDULE 1999

Issue #	Copy Due by 4:30 p.m.	Publication Date	Issue #	Copy Due by 4:30 p.m.	Publication Date
Issue 1	December 21, 1998	January 4, 1999 *	Issue 28	June 28	July 9
Issue 2	December 28	January 8	Issue 29	July 6 ***	July 16
Issue 3	January 4, 1999	January 15	Issue 30	July 12	July 23
Issue 4	January 11	January 22	Issue 31	July 19	July 30
Issue 5	January 19	January 29	Issue 32	July 26	August 6
Issue 6	January 25	February 5	Issue 33	August 2	August 13
Issue 7	February 1	February 16	Issue 34	August 9	August 20
Issue 8	February 8	February 19 **	Issue 35	August 16	August 27
Issue 9	February 16 ***	February 26	Issue 36	August 23	September 3
Issue 10	February 22	March 5	Issue 37	August 30	September 10
Issue 11	March 1	March 12	Issue 38	September 7 ***	September 17
Issue 12	March 8	March 19	Issue 39	September 13	September 24
Issue 13	March 15	March 26	Issue 40	September 20	October 1
Issue 14	March 22	April 2	Issue 41	September 27	October 8
Issue 15	March 29	April 9	Issue 42	October 4	October 15
Issue 16	April 5	April 16	Issue 44	October 12 ***	October 22
Issue 17	April 12	April 23	Issue 43	October 18	October 29
Issue 18	April 19	April 30	Issue 44	October 25	November 5
Issue 19	April 26	May 7	Issue 45	November 1	November 12
Issue 20	May 3	May 14	Issue 46	November 8	November 19
Issue 21	May 10	May 21	Issue 47	November 15	November 29 *
Issue 22	May 17	May 28	Issue 48	November 22	December 3
Issue 23	May 24	June 4	Issue 49	November 29	December 10
Issue 24	June 1 ***	June 11	Issue 50	December 6	December 17
Issue 25	June 7	June 18	Issue 51	December 13	December 24
Issue 26	June 14	June 25	Issue 52	December 20	December 31
Issue 27	June 21	July 2	Issue 1	December 27	January 7, 2000

* Monday following a state holiday.

** Tuesday following a state holiday.

*** Since the state holiday is a Monday, the deadline is Noon on Tuesday.

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Job Training and Economic Development Demonstration Grant Program

- 2) Code Citation: 56 Ill. Adm. Code 2660

- 3) Section Numbers: Proposed Action:

2660.120 Amend

2660.180 Amend

2660.220 Amend

2660.270 Amend

- 4) Statutory Authority: Implementing Section 46.19j of the Civil Administrative Code of Illinois [20 ILCS 605/46.19j] and authorized by Section 46.20 of the Civil Administrative Code of Illinois [20 ILCS 605/46.20].

- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking specifies application procedures for Continuation Grants for both the Industry Linked Training for Low Wage Workers and the Industry Linked Training for Unemployed Disadvantaged Persons programs. It further defines the selection criteria for both programs.

- 6) Will these rules replace emergency rules currently in effect? Yes

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Do these proposed rules contain incorporations by reference? No

- 9) Are there any rules pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805].

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after this edition of the *Illinois Register* to the following:

Lyle Neumann
Job Training Division
Department of Commerce and Community Affairs
620 East Adams Street, S-4
Springfield, Illinois 62701
217/557-3654
TDD: 217/785-6055
Fax: 217/785-6454

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small business and small municipalities affected: There will be no adverse effect on small businesses or small municipalities.
- B) Reporting, bookkeeping or other procedures required for compliance: These amendments do not affect the existing reporting, bookkeeping and other procedures necessary for compliance.
- C) Types of professional skills necessary for compliance: Applicants would already possess the necessary skills for compliance.

- 13) Regulatory Agenda on which this rulemaking was summarized: July 1999

The full text of the Proposed Amendments is identical to the text of the Emergency Amendments appearing in this issue of the Illinois Register on page

1273:1

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Procedures for Reporting Releases of Livestock Waste from Lagoons

- 2) Code Citation: 35 Ill. Adm. Code 580

- 3) Section Numbers: Proposed Action:

580.100	Amended
580.102	Amended
580.103	Amended
580.104	Amended
580.105	Amended
580.200	Amended
580.300	Amended

- 4) Statutory Authority: Implementing and authorized by Section 18 of the Livestock Management Facilities Act [510 ILCS 77/18] (see P.A. 91-0110, effective July 13, 1999); and Section 4(h) of the Environmental Protection Act [415 ILCS 5/4(h)].

- 5) A Complete Description of the Subjects and Issues Involved: These proposed amendments specify the procedure to be used by the owner or operator of a livestock waste handling facility or transportation equipment to report a release of livestock waste to the Illinois Environmental Protection Agency. The amendments expand coverage from only lagoons in the previous rule but add a reporting exemption for some spills of less than 25 gallons of manure; specify that waters of the State do not include small temporary accumulations of surface water from precipitation or irrigation systems; and provide for notification of spills to any affected county health department.

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed amendment contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This proposed rulemaking establishes no new requirements for local governments.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Illinois Environmental Protection Agency will accept written public comment on this proposal for a period of 45 days from the date of publication in the *Illinois Register*. Comments should reference Livestock Waste Release Reporting and be addressed to:

Mr. Tim Kluge

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED AMENDMENTS

Manager, Field Operation Section
Division of Water Pollution Control
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small business, small municipalities and not for profit corporations affected: Those small businesses that own or operate livestock waste handling facilities or transportation equipment are obligated to report releases under the Livestock Management Facilities Act [510 ILCS 77]. It is not expected that small municipalities and not for profit corporations own or operate such facilities.

B) Reporting, bookkeeping or other procedures required for compliance: The proposed rules require access to a telephone and writing materials.

D) Types of professional skills necessary for compliance: Compliance with the proposed rules does not require professional skills.

- 13) Regulatory Agenda on which this rulemaking was summarized: July 1999

The full text of the proposed amendments begins on the next page:

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE E: AGRICULTURE RELATED WATER POLLUTION

CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

PART 580

PROCEDURES FOR REPORTING RELEASES OF LIVESTOCK WASTE FROM ~~BAGOONS~~

Section

580.100

Introduction

580.101

Scope

580.102

Applicability

580.103

Purpose

580.104

Definitions

580.105

Method of Reporting a Release of Livestock Waste from ~~a bagoon~~

580.106

Contents of Report

580.107

Reporting of Releases to Groundwater

580.200

Distribution of Information

580.300

Follow-up Written Report

AUTHORITY: Implementing and authorized by Section 18 of the Livestock Management Facilities Act [510 ILCS 77/18] (see P.A. 91-0110, effective July 13, 1999); and Section 4(h) of the Environmental Protection Act [415 ILCS 5/4(h)].

SOURCE: Adopted at 22 Ill. Reg. 21863, effective December 4, 1998; amended at 24 Ill. Reg. _____, effective _____.

Section 580.100 Introduction

This Part 580 contains Illinois Environmental Protection Agency (Illinois EPA or Agency) rules for the procedure that owners or operators of livestock waste handling facilities or transportation equipment ~~bagoons~~ that releases ~~release~~ livestock waste must follow to satisfy their obligation under Section 18(a)15(d) of the Livestock Management Facilities Act [510 ILCS 77/18(a)15(d)] and Section 4(h) of the Environmental Protection Act [415 ILCS 5/4(h)], and the procedure that the Illinois EPA will follow to distribute or provide access to that information.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 580.102 Applicability

The regulations in this Part 580 apply to the owners or operators of livestock waste handling facilities or transportation equipment ~~bagoons~~ that releases ~~release~~ livestock waste as those terms are defined in Section 580.104.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 580.103 Purpose

The purpose of this Part 580 is to promote the prompt and effective notification of releases ~~any release~~ of livestock waste from ~~a bagoon~~ to minimize damage to the environment and to protect the health of our citizens.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 580.104 Definitions

Terms used in this Part have the meaning specified in the Livestock Management Facilities Act [510 ILCS 77] or the Environmental Protection Act [415 ILCS 5]. The following terms have the meanings specified:

"Agency" means the Illinois Environmental Protection Agency.

"Controlled and recovered release" means any release that:

does not result in a discharge to waters of the State; and

has been controlled by diking or berming, or has been otherwise restricted in flow or extent; and

has been recovered so that the unrecovered portion of the released livestock waste is less than or equal to the agronomic application rate of the crop of vegetation grown at the site of the release.

"Department" means the Illinois Department of Agriculture.

~~"Bagoon" means any excavated, diked, or waived structure or combination of structures designed for biological stabilization and storage of livestock wastes. A bagoon does not include structures such as manufactured slurry storage structures or pits under buildings as defined in rules under the Environmental Protection Act concerning agriculture-related pollution. (510 ILCS 77/10-25)~~

"Livestock waste" means livestock excreta and associated feed losses, bedding, wash waters, sprinkling waters from livestock cooling, precipitation polluted by falling on or flowing onto an animal feeding operation, and other materials polluted by livestock. [510 ILCS 77/10.35]

"Livestock waste handling facility" means individually or collectively

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED AMENDMENTS

those immovable constructions or devices, except sewers, used for collecting, pumping, treating, or disposing of livestock waste or for the recovery of by-products from the livestock waste. Two or more livestock waste handling facilities under common ownership, and where the facilities are not separated by a minimum distance of 1/4 mile, shall be considered a single livestock waste handling facility. [510 ILCS 77/10.40]

"Owner or Operator" means any person who owns, leases, controls, or supervises a livestock management facility or livestock waste-handling facility. [510 ILCS 77/10.50]

"Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, State agency, or any other legal entity or their legal representative, agent, or assigns. [510 ILCS 77/10.55]

"Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, or dumping of livestock waste from a lagoon into the environment. From--a--lagoon does--not--include--from--trucks--or--from--application--vehicles--lacking--a direct--and--continuous--connection--to--the--lagoon. For purposes of this Part, a release does not include the normal application of fertilizer such as the application of livestock waste to crop land at agronomic rates established by guidelines of the Agency, regulations of the Illinois Pollution Control Board or in a waste management plan approved by the Department for the crop grown. A release is not application to a grassed area under 35 Ill. Adm. Code 506.303(r)7 or use of a runoff field application system under 35 Ill. Adm. Code 501.404(d) or to small temporary accumulations of surface water--as--a result--of--precipitation--or--irrigation. Air emissions are not releases under this Part.

"Transportation equipment" means all structures and devices including but not limited to pipes, pumps, tanks, or containers, both mobile and non-mobile, used for conveying livestock waste to or from a livestock management facility or livestock waste handling facility.

"Waters" means all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon this State. [415 ILCS 5/3.56] For purposes of this Part, waters of the State do not include small temporary accumulations of surface water from precipitation or irrigation systems. [510 ILCS 77/18]

(Source: Amended at 24 Ill. Reg. _____, effective _____)

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED AMENDMENTS

Section 580.105 Method of Reporting a Release of Livestock Waste from a lagoon

a) An owner or operator of a livestock waste handling facility or transportation equipment lagoon shall report any release of livestock waste from--the--lagoon within 24 hours after the discovery of the release. Reports of releases to surface waters, including to sinkholes, drain inlets, broken subsurface drains or other conduits to groundwater or surface waters, shall be made upon discovery of the release, except when such immediate notification will impede the owner's or operator's response to correct the cause of the release or to contain the livestock waste, in which case the report shall be made as soon as possible but no later than 24 hours after discovery.

b) Reporting shall not be required in the case of a release of less than 25 gallons that is not released to the waters of the State or from a controlled and recovered release during field application. [510 ILCS 77/18(a)]

c) The report required under subsection (a) shall be given to the Illinois Environmental Protection Agency through the Illinois Emergency Management Agency by calling:

1-800-782-7860

1-217-782-7860

(if calling from outside Illinois).

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 580.200 Distribution of Information

a) Reports under this Part are required by Section 18(a)15(d) of the Livestock Management Facilities Act [510 ILCS 77/18(a)15(d)] and Section 4(h) of the Environmental Protection Act [415 ILCS 5/4(h)], and are therefore not privileged under Section 52.2(h)(1) of the Environmental Protection Act [415 ILCS 5/52.2(h)(1)].

b) All reports under Sections 580.105 and 580.300 will be forwarded to the Department by the Agency.

c) All reports under this Part indicating, or with respect to which subsequent investigations reveal, releases to surface waters will be forwarded by the Agency to the Illinois Department of Natural Resources and to the appropriate county health department of the county in which the release occurred.

d) All reports under this Part indicating, or with respect to which subsequent investigations reveal, releases to groundwater will be forwarded by the Agency to the appropriate county health department of the county in which the release occurred.

e) All reports under this Part are accessible from the Illinois EPA through the Freedom of Information Act [5 ILCS 140] and Agency

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED AMENDMENTS

regulations at 2 Ill. Adm. Code 1826.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 580.300 Follow-up Written Report

An owner or operator of a livestock waste handling facility or transportation equipment ~~tegon~~ who reports by telephone any release of livestock waste ~~from the--tegon~~ shall provide a follow-up written report of the release within 5 days after the discovery of the release. The report shall confirm and update the information provided by telephone pursuant to Section 580.106. Written reports shall be addressed to:

Illinois Environmental Protection Agency
Bureau of Water
Compliance Assurance Section
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

(Source: Amended at 24 Ill. Reg. _____, effective _____)

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Beverage Alcohol Sellers and Servers Education and Training (BASSET) Programs

2) Code Citation: 77 Ill. Adm. Code 3500

3) Section Numbers: Proposed Action:
3500.120 Amendment
3500.125 Amendment

4) Statutory Authority: 235 ILCS 5/3-12(a)(2) and (11)

5) A Complete Description of the Subjects and Issues Involved: The proposed amendment deals with the license fee charged and the period of licensure under the Beverage Alcohol Sellers and Servers Education and Training (BASSET) Program.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking will have a de minimis impact on local governments as local governments will now be required to pay the yearly application fee.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments should be directed to the following person within 45 days of the date of this publication:

Anne T. Treonis, Legal Counsel
Illinois Liquor Control Commission
100 W. Randolph St., Suite 5-300
Chicago IL 60601
312/814-2604 or anne.treonis@cms.state.il.us

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Any small business, municipality and not for profit corporation renewing a license or applying for a license for the Beverage Alcohol Sellers and Servers Education and Training program.

B) Reporting, bookkeeping or other procedures required for compliance:

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF PROPOSED AMENDMENTS

None

C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: the Commission just received control of the program; the fee increase is needed to effectively administer the program.

The full text of the Proposed Amendment begins on the next page:

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER XVI: LIQUOR CONTROL COMMISSION

PART 3500

BEVERAGE ALCOHOL SELLERS AND SERVERS EDUCATION
AND TRAINING (BASSET) PROGRAMS

Section

- 3500.101 Programs Subject to Licensure
- 3500.105 Purpose of BASSET
- 3500.110 License Applications
- 3500.115 Renewal Applications
- 3500.120 License Fees
- 3500.125 Period of Licensure
- 3500.130 Acceptance for Processing
- 3500.135 Non-Transferability of License
- 3500.140 Change in BASSET Program Director or Services
- 3500.145 Exceptions for BASSET Programs
- 3500.150 Compliance With Local Government Ordinances
- 3500.155 BASSET Curriculum Requirements
- 3500.160 BASSET Programmatic Requirements
- 3500.165 BASSET Program Fee
- 3500.170 Sanctions

AUTHORITY: Implementing and authorized by Section 3-12(a)(2) and (11) of the Liquor Control Act of 1934 [235 ILCS 5/3-12(a)(2) and (11)].

SOURCE: Adopted at 20 Ill. Reg. 13591, effective October 3, 1996; codification change at 21 Ill. Reg. 9319; recodified from 77 Illinois Administrative Code 2057 to 77 Illinois Administrative Code 3500 at 23 Ill. Reg. 11342; amended at 24 Ill. Reg. _____, effective _____.

Section 3500.120 License Fees

- a) Application fees shall be due on application for each license. Application fees are not refundable. Payment shall be made by check or money order made payable to the Illinois Liquor Control Commission. Payment shall not be in the form of U.S. currency, foreign currency, or stamps. A separate check or money order shall be submitted for each application.
- b) ~~Fees--~~ The fee for application for a license is \$250 per year \$200-00.
- 2) ~~The fee for application for renewal of a license is \$200-00.~~
- 3) ~~No application fee shall be required of any unit of local, State or federal government.~~

(Source: Amended at 24 Ill. Reg. _____, effective _____)

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF PROPOSED AMENDMENTS

_____)

Section 3500.125 Period of Licensure

Each license issued by the Commission shall be effective for a period of one year three-years.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: The Illinois Liquor Control Commission

2) Code Citation: 11 Ill. Adm. Code 100

3) Section Numbers: 100.130
Proposed Action: Amendment

4) Statutory Authority: 235 ILCS 5/3-12(a)(2)

5) A Complete Description of the Subjects and Issues Involved: The Proposed Amendment deals with the fee for a waiver for keeping books and records on the licensed premises and when such waiver can be submitted to the Commission.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking will have no impact, fiscal or otherwise, on local governments.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments should be directed to the following person within 45 days of the date of this publication:

Anne T. Treonis, Legal Counsel
Illinois Liquor Control Commission
100 W. Randolph St., Suite 5-300
Chicago IL 60601
312/814-2604 or anne.treonis@cms.state.il.us

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporation affected: Any small businesses, municipalities or not for profit corporations that currently receive or wish to apply for a waiver to keep their books and records at a central business location other than the licensed premises.

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF PROPOSED AMENDMENT

- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because: the Commission recently reviewed the submissions and determined the change was needed to effectively administer and streamline the process.

The full text of the Proposed Amendment begins on the next page:

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF PROPOSED AMENDMENT

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE A: ALCOHOL
CHAPTER I: ILLINOIS LIQUOR CONTROL COMMISSION

PART 100

THE ILLINOIS LIQUOR CONTROL COMMISSION

Section	
100.5	Penalties
100.10	Definitions
100.20	Employment of Minors
100.30	Violation of Federal Law, State Statute or City, Village or County Ordinance or Regulation
100.40	Registration of Tasting Representatives
100.50	Advertising
100.60	Geographical Territories
100.70	Labels
100.80	Bonds (Repealed)
100.90	Credit to Retail Licensees
100.100	Internal Changes Within Corporations
100.110	Application Forms
100.120	Railroad Licenses
100.130	Books and Records
100.140	Miniatures (Repealed)
100.150	Salvaged Alcoholic Liquors
100.160	Sanitation
100.170	Taps
100.180	Procedure Before Commission on Citations
100.190	Procedure Before Commission on Request for Continuance of Any Hearing
100.200	Wagering Stamps (Repealed)
100.210	Inducements
100.220	Retail Licensee Clubs (Repealed)
100.230	Resumption of Business on Appeal
100.240	Transactions Involving Use of Checks and Their Equivalent (Repealed)
100.250	Transfer of Alcohol
100.260	Uniform Systems of Accounts
100.270	Multi-Use Facilities
100.280	Giving Away of Alcoholic Liquors
100.290	Refilling
100.300	Authorization to Remove Bottles
100.310	Food Service at Park Districts
100.320	Airplanes
100.330	Advertising
100.340	Petitions for the Adoption, Amendment or Repeal of a Rule
100.350	Procedures For Filing Appeals From an Order of the Local Liquor Control Commissioner
100.360	Review on Record -- Certification of Ordinance
100.370	Procedures Before the Commission

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF PROPOSED AMENDMENT

- 100.380 Ex Parte Consultations
 100.390 Transcripts--Administrative Review
 100.400 Procedures Before the Commission (Renumbered)
 100.410 Ex Parte Consultations (Renumbered)

AUTHORITY: Implementing and authorized by Section 3-12(a)(2) of the Liquor Control Act [235 ILCS 5/3-12(a)(2)].

SOURCE: Rules and Regulations of the Illinois Liquor Commission, amended March 31, 1977; amended July 7, 1977; amended at 3 Ill. Reg. 12, p. 65, effective March 22, 1979; codified at 5 Ill. Reg. 10706; amended at 8 Ill. Reg. 6041, effective April 19, 1984; amended at 12 Ill. Reg. 19387, effective November 7, 1988; amended at 18 Ill. Reg. 4811, effective March 9, 1994; amended at 20 Ill. Reg. 834, effective January 2, 1996; expedited correction at 20 Ill. Reg. 4469, effective January 2, 1996; amended at 21 Ill. Reg. 5542, effective May 1, 1997; amended at 23 Ill. Reg. 3787, effective March 15, 1999; emergency amendment at 23 Ill. Reg. 8687, effective July 13, 1999, for a maximum of 150 days; amended at 24 Ill. Reg. _____, effective _____.

Section 100.130 Books and Records

- a) It is the duty of each manufacturer, importing distributor, distributor and foreign importer to keep at all times complete and accurate records of all purchases and all sales or other dispositions of alcoholic liquor, and complete and accurate records of alcoholic liquor produced, manufactured, compounded or imported, whether for the licensee or for another. All books and records, which manufacturers, distributors, importing distributors and foreign importers are required by the Act to keep, shall be preserved for a period of **three** years, unless the State Commission in writing authorizes their destruction or disposal at an earlier date.
- b) Each such licensee is required to retain invoices and bills of lading covering sales of alcoholic liquors.
- c) Each manufacturer, distributor, importing distributor and foreign importer must at the time of sale of any alcoholic liquors render to the purchaser an invoice describing the alcoholic liquor sold, the date of sale, to whom sold and the quantity sold. Duplicate copies of all such invoices must be made and preserved by such manufacturer, distributor, importing distributor and foreign importer for audit purposes.
- d) Each manufacturer, distributor, importing distributor and foreign importer shall keep a ledger or other records giving the name, license number and expiration date, and address of each purchaser of alcoholic liquors and information concerning each purchase, including invoice number, date of sale, amount of sale and date of payment therefor.
- e) It is the duty of each retail licensee to keep on the licensed premises invoices, or copies thereof, covering purchases of alcoholic liquor for a period of 90 days after such purchase, unless the State

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF PROPOSED AMENDMENT

Commission has granted a waiver in response to a written request in cases where books and records are kept at a central business location within the State of Illinois. If granted a waiver, each licensee will be required to have at each location a copy of the waiver granting permission to have the invoices located at a central business location. Waivers must be obtained at the time of initial application or upon license renewal unless special circumstances exist and then with the prior approval of the Commission. A copy of the waiver must be available for inspection at the location of the business within 30 days after the date of the signed waiver. An administrative fee of \$50 per year, \$10-00 per location, or \$500 per year \$100 maximum for businesses with multiple locations of 10 or more, will be assessed. No change may be made in a licensing year in the central business location where the invoices are to be kept unless a new waiver request form is submitted and approved by the Commission. ~~Before any change is made in the central business location where the invoices are to be kept, the Illinois Liquor Control Commission should be notified and a new waiver request form must be submitted to the Illinois Liquor Control Commission for prior approval. The waiver will remain effective unless and until a new waiver request has been approved by the Illinois Liquor Control Commission. Periodic updates may be required.~~

(Source: Amended at 24 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Camping on Department of Natural Resources Properties

2) Code Citation: 17 Ill. Adm. Code 130

3) Section Numbers: Proposed Action:
130.50 Amendments
130.70 Amendments

4) Statutory Authority: Implementing and authorized by Sections 1 and 4(1) and (5) of the State Parks Act [20 ILCS 835/1 and 4(1) and (5)], and by Sections 63a23 and 63a28 of the Civil Administrative Code of Illinois [20 ILCS 805/63a23 and 63a28].

5) A Complete Description of the Subjects and Issues Involved: These amendments have been proposed to initiate the first night's fee for all camping sites. In addition to the \$5.00 non-refundable fee, the first night's camping and utility fee is required at the time reservations are made.

6) Will this rulemaking replace any emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
Department of Natural Resources
524 S. Second Street
Springfield IL 62701-1787
217/782-1809

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rule was summarized: July 1999

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER a: LANDS

PART 130

CAMPING ON DEPARTMENT OF NATURAL RESOURCES PROPERTIES

Section	Location
130.10	Purpose of Campground
130.20	Classification of Camps by Equipment Used - Definitions
130.30	Definition of a Camp
130.40	Registrations
130.50	Permits, Extensions and Time Limits
130.60	Fees and Charges
130.70	Refunds
130.80	Check-in and Check-out Times
130.90	Unoccupied Camps
130.100	Vehicles per Camp (Refer to 17 Ill. Adm. Code Section 130.30)
130.110	Youth Group (Boy Scouts, Girl Scouts, Explorers, church groups, or others)
130.120	Organization Group Camps (charter organizations, ROTC, private clubs or others)
130.130	Campground Host Program
130.135	Use of Campground
130.140	Eviction
130.150	

AUTHORITY: Implementing and authorized by Sections 1 and 4(1) and (5) of the State Parks Act [20 ILCS 835/1 and 4(1) and (5)], and by Sections 63a23 and 63a28 of the Civil Administrative Code of Illinois [20 ILCS 805/63a23 and 63a28].

SOURCE: Adopted at 4 Ill. Reg. 7, p. 110, effective February 4, 1980; emergency amendment at 5 Ill. Reg. 5707, effective June 1, 1981 for a maximum of 150 days; codified at 5 Ill. Reg. 10623; amended at 5 Ill. Reg. 14568, effective December 9, 1981; amended at 6 Ill. Reg. 3840, effective March 31, 1982; amended at 6 Ill. Reg. 9626, effective July 21, 1982; amended at 6 Ill. Reg. 14835, effective November 24, 1982; amended at 7 Ill. Reg. 5870, effective April 22, 1983; amended at 8 Ill. Reg. 5647, effective April 16, 1984; amended at 9 Ill. Reg. 6173, effective April 23, 1985; amended at 9 Ill. Reg. 11594, effective July 16, 1985; amended at 10 Ill. Reg. 9777, effective May 21, 1986; amended at 10 Ill. Reg. 13244, effective July 28, 1986; amended at 11 Ill. Reg. 9506, effective May 15, 1987; amended at 14 Ill. Reg. 12402, effective July 20, 1990; emergency amendment at 16 Ill. Reg. 7925, effective May 11, 1992, for a maximum of 150 days; emergency expired October 8, 1992; amended at 16 Ill. Reg. 15982, effective October 2, 1992; amended at 18 Ill. Reg. 1126, effective January 18, 1994; amended at 19 Ill. Reg. 6462, effective April 28, 1995; amended at 20 Ill. Reg. 6683, effective May 6, 1996; amended at 21 Ill. Reg.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

9034, effective June 26, 1997; amended at 22 Ill. Reg. 3076, effective January 23, 1998; amended at 22 Ill. Reg. 11781, effective June 24, 1998; amended at 23 Ill. Reg. 8376, effective July 7, 1999; amended at 24 Ill. Reg. _____, effective _____.

Section 130.50 Registrations

- A permit will be issued and fees collected at the time the camp is established or as soon as possible thereafter (see Sections 130.70 and 130.80).
- The camping attendant has the authority to assign sites.
- A responsible adult (18 years of age or older) from the camping party must register for the party and thereby acknowledge compliance to the rules and regulations of the park for the party.
- Curfew: the provisions of Section 1 of the Child Curfew Act [720 ILCS 555/1] with reference to curfew for persons under the age of 17 years are in effect on Department of Natural Resources' properties.
- The camp shelter or any other camping equipment shall not be brought into the park prior to the arrival of the camping party.
- No camping equipment shall be placed on any campground site while that site is occupied by another camping party. A person acquiring a permit must have camp shelter at the time of registration and must occupy the site at that time.
- In "emergency situations", the camping attendant may designate an area and charge a fee commensurate with facilities provided (see Section 130.70).
- Reservations will be accepted at selected sites offering this service. An additional \$5-98 non-refundable fee must be submitted for each site reserved. The At-Starved-Rock-State-Park-the reservation fee shall be the applicable first night's camping and utility fee in addition to the \$5-98 per campsite non-refundable fee and is required at the time reservation is made for individual campsite reservations. The At-Starved-Rock-State-Park-the reservation fee insures that a reserved campsite will be held until 3:00 p.m. of the next day assuring reservation holders of a campsite in the event of late arrival.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 130.70 Fees and Charges

- The full amount of the camping fee and, if applicable, the utility fee shall be collected at the time the permit is issued. If checks are taken, they shall be made payable to the Illinois Department of Natural Resources and the site identified. Camping fees vary in accordance with the degree of campground development and type of facilities available effective May 11, 1992 as follows:

1) Spring - Summer Camping (May 1 through September 30)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- A) Class A Sites: Camping fee of \$8 per night per site, \$3 utility fee. Sites having availability to showers, electricity and vehicular access.
- B) Class B-E Sites: Camping fee of \$7 per night per site, \$3 utility fee. Sites having availability to electricity and vehicular access.
- C) Class B-S Sites: Camping fee of \$8 per night per site. Sites having availability to showers and vehicular access.
- D) Class C Sites: Camping fee of \$7 per night per site. Sites having vehicular access or tent camp/primitive sites (walk-in or backpack) having availability to showers.
- E) Class D Sites: Camping fee of \$6 per night per site. Tent camping or primitive sites with no vehicular access.
- F) Youth Group Camping: \$1 per person, minimum daily camping fee of \$10.
- G) Adult Group Camping: \$3 per person, minimum daily camping fee of \$30.

H) Each member of an organized group utilizing facilities furnished at Dixon Springs State Park and Pere Marquette State Park shall pay a fee of \$4 per night. At Dixon Springs, a deposit of \$40 will be required before confirmation of a reservation. At Pere Marquette, a deposit of \$100 will be required before confirmation of a reservation. The deposits will be credited to the total camping fee. Fees for day use of the group camps at Dixon Springs and Pere Marquette shall be \$45 per day.

I) Rent-A-Camp Sites will be made available at designated state parks and recreational areas throughout the department's statewide system. Rent-A-Camp Tent areas will provide, at additional fees of \$8 and \$12 per night, one large tent (approximately 10' x 13') or one extra large tent (approximately 14' x 14'), respectively (erected), with wood floor, one charcoal grill, one picnic table, one trash barrel, and either 4 sleeping cots per large tent or 8 sleeping cots per extra large tent. The total overnight fee for a Rent-A-Camp Tent will be based on the basic fees of \$8 or \$12 per night in addition to the fee for the Camp A Campsite.

Rent-A-Camp Tent at Class A Sites:
\$8 or \$12 plus \$3 utility fee and \$8 camping fee per night per site at all sites having availability to showers, electricity and vehicular access.

J) Rent-A-Camp Cabin areas will provide, at an additional fee of \$24 per night, one 2-bedroom cabin with 2 bunk beds, one full-sized bed, ceiling fans, electric heaters, table with chairs, one charcoal grill, one picnic table, and one trash barrel. The total overnight fee for a Rent-A-Camp Cabin will be based on the basic fee of \$24 per night in addition

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

to the fee for the class of the camping site on which the Rent-A-Camp Cabins are located.
Rent-A-Camp Cabins at Class A Sites:
\$24 cabin rental plus \$3 utility fee and \$8 camping fee per night, per site at all sites having availability to showers and vehicular access.

K) A \$5 per campsite non-refundable fee must be remitted at those facilities offering reservation services. This fee applies to reservations for group campsites as well as individual site reservations and individual Rent-A-Camp Cabin and individual Rent-A-Camp Tent reservations. In addition to the \$5 non-refundable fee, the first night's camping and utility fee at ~~Starved-Rock-State-Park, the reservation fee shall be the applicable first night's cabin/tent~~ ~~camping-and-utility-fee-in-addition-to-the-\$5-per-campsite non-refundable-fee-and~~ is required at the time reservations are made for individual campsite reservations.

The Rent-A-Camp Cabin and Tent reservation fee for each cabin/tent will be the applicable first night's cabin/tent rental, camping and utility fees if applicable, in addition to the \$5 per campsite non-refundable reservation fee, and is required at the time reservations are made for individual Rent-A-Camp Cabin and Tent campsites.

2) Fall - Winter Camping (October 1 through April 30)

A) As long as buildings, water and electrical service are available, regardless of the date, the regular camping fee will apply.

B) When cold weather requires closing down buildings and shutting off water in Class A campgrounds, the fee shall be reduced commensurate with the services and facilities available for use.

C) The fee for primitive campsites shall be \$6 per site. When a change in facilities is made and a campsite is reclassified, the fee for a site will change automatically.

b) Exceptions: Employees, Concessionaires, and Special Legislation

1) Except for temporary employees of the Department of Natural Resources who qualify and are placed in the campground host program at approved camping sites, employees of the Department of Natural Resources or any other State agency, regardless of their official status, will be required to pay the established camping fee.

2) The concessionaire, manager, or a responsible employee designated by the concessionaire will not be charged the regular camping fee. Rent will be paid at the rate established by the Department or pursuant to the concession lease.

3) An Illinois resident age 62 or older, or a person who has a Class 2 disability as defined in Section 4A of the Illinois Identification Card Act [15 ILCS 335/4A] or a disabled veteran,

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

or a former prisoner of war as defined in Section 5 of the Department of Veterans Affairs Act [20 ILCS 2805/5], is entitled to the following camping fee provisions, upon qualifying, which will allow the spouse or minor (under 18) children, or minor grandchildren to be included in the camping party. All other members must be registered and pay the regular camping fee for the facilities provided.

A) Illinois residents age 62 or older will be charged one-half the established camping fee on any Monday, Tuesday, Wednesday or Thursday, at Class A and B sites but must pay the entire established camping fee on all sites on any Friday, Saturday or Sunday, and, if at a site with utilities, must pay the entire utility fee for each day of camping. Verification of age may be made by any document required by law to establish proof of age and date of birth and issued by a federal or state governmental agency. No fee on Class C and D sites Monday through Thursday.

B) Illinois residents who have a Class 2 disability and present a current Illinois Disabled Person Identification Card issued by the Secretary of State will be charged one-half the established camping fee for Class A and B sites on any Monday, Tuesday, Wednesday, or Thursday, but must pay the entire established camping fee for any Friday, Saturday or Sunday, and, if at a site with utilities, must pay the entire utility fee for each day of camping. No fee on Class C and D sites.

C) An Illinois resident who is a disabled veteran or former prisoner of war may camp without being charged a camping fee, but if at a site with utilities, must pay the entire utility fee for each day of camping. An individual wishing to qualify for free camping under the provisions stated above must be able to submit the appropriate document issued by the Illinois Department of Veterans' Affairs (see 20 ILCS 2805/5).

(Source: Amended at 24 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED REPEALER

1) Heading of the Part: Illinois Salmon Stamp Contest Procedures

2) Code Citation: 17 Ill. Adm. Code 2550

<u>Section Numbers:</u>	<u>Proposed Action:</u>
2550.10	Repeal
2550.15	Repeal
2550.20	Repeal
2550.30	Repeal
2550.40	Repeal
2550.50	Repeal
2550.60	Repeal
2550.70	Repeal
2550.80	Repeal
2550.90	Repeal
2550.100	Repeal
2550.EXHIBIT A	Repeal

4) Statutory Authority: Implementing Sections 1-5, 1-90, 1-125, 20-10 and 20-115 of the Fish and Aquatic Life Code [515 ILCS 5/1-5, 1-90, 1-125, 20-10 and 20-115] and authorized by Section 5-25 of the Illinois Procurement Code [30 ILCS 500/5-15].

5) A Complete Description of the Subjects and Issues Involved: The purpose of this rule was to provide contest procedures for the Illinois Salmon Stamp Contest. This contest is no longer held by the Department.

6) Will this rulemaking replace any emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do this rulemaking contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
Department of Natural Resources
524 S. Second Street
Springfield IL 62701-1787
217/782-1809

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED REPEALER

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rule was summarized: This rule was not included on either of the 2 most recent agendas because: The Department neglected to file a regulatory agenda on this Part.

The full text of the Proposed Repealer begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED REPEALER

TITLE 17: CONSERVATION

CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER f: ADMINISTRATIVE SERVICES

PART 2550

ILLINOIS SALMON STAMP CONTEST PROCEDURES (REPEALED)

Section

2550.10

Objective

2550.15 Prerequisite to Contest

2550.20 General Procedures and Definitions

2550.30 Contest Dates, Deadlines and Awards

2550.40 Contest Eligibility

2550.50 Technical Requirements and Scoring Criteria

2550.60 Subject Matter Restrictions

2550.70 Submission Procedures for Entry

2550.80 Property Insurance for Entries

2550.90 Display and Return of Entries

2550.100 Failure to Comply With Contest Rules and Procedures

EXHIBIT A Illinois Salmon Stamp Contest Purchase-Award Agreement

AUTHORITY: Implementing Sections 1-5, 1-90, 1-125, 20-10 and 20-115 of the Fish and Aquatic Life Code [515 ILCS 5/1-5, 1-90, 1-125, 20-10 and 20-115] and authorized by Section 5-25 of the Illinois Procurement Code [30 ILCS 500/5-25].

SOURCE: Adopted at 9 Ill. Reg. 8138, effective May 21, 1985; amended at 15 Ill. Reg. 9973, effective June 24, 1991; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; repealed at 24 Ill. Reg. _____, effective _____.

Section 2550.10 Objective

The purpose of the Illinois Salmon Stamp Contest is to provide an opportunity for open competition in the selection of a design for the State Salmon Stamp.

Section 2550.15 Prerequisite to Contest

- a) A contest will be held in any year in which twenty (20) interested artists, the Director of the Illinois Department of Natural Resources, the Governor of the State of Illinois or any member of the Illinois Legislature requests such a contest.
- b) If no such request is received by the Division of Resource Marketing, Illinois Department of Natural Resources, 524 S. Second Street, Springfield, IL 62701 on or before the 1st day of April of the year preceding the year for which the stamp will be issued, the Department of Natural Resources shall not hold a Salmon Stamp Contest for that year.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED REPEALER

Section 2550.20 General Procedures and Definitions

- a) The Illinois Department of Natural Resources shall administer the competition through a contest coordinator.
- b) The Department will be responsible for all phases of the contest, including the selection of five judges and the judging process. The judges shall be knowledgeable in the fields of art, conservation and/or ichthyology, and shall serve without compensation other than reimbursement for expenses.
- c) Employees of the Department, artist/entrants or the immediate relatives of either are ineligible to serve as judges. Immediate relatives include parents and children of the employees of the Department, artists and entrants.
- d) Each contestant must sign and submit a "Purchase-Award Agreement" certifying the originality of his or her entry and acknowledging his or her acceptance of the terms and conditions governing the exclusive right of the Department to reproduce and use the winning artwork for the purpose set forth in the agreement.

Section 2550.30 Contest Dates, Deadlines and Awards

- a) The Department will announce by public news release the time and place of the contest. The Department will also notify the public in this news release of the date that entries will be accepted.
- b) The winning artist will receive a \$1,000 Purchase-Award under terms of the "Purchase-Award Agreement" and 50 Artist Proof Prints. Runners up will receive \$100, \$75, \$50 and \$25 for 2nd, 3rd, 4th and 5th places respectively for use of their prints for 90 days.

Section 2550.40 Contest Eligibility

- a) Anyone is eligible to participate in the annual competition with the following exceptions: contest judges, Department of Natural Resources employees or the immediate relatives of either, as defined in Section 2550.20(c), may not submit an entry.
- b) Each year's winning artist will be ineligible to compete the following year.

Section 2550.50 Technical Requirements and Scoring Criteria

- a) Only ONE entry may be submitted by each contestant.
- b) Entries may be in any medium but must be in full color.
- c) Artwork must be eight (8) inches high, ten (10) inches wide, mounted and/or matted to a size of ten (10) inches by twelve (12) inches. Smaller or larger size work will be disqualified. Artists will place a protective covering of acetate or other clear material over their entry.
- d) Scroll work or lettering including the artist's signature must not

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED REPEALER

appear on the design itself and will result in disqualification. The only visible identification mark on each entry will be an arbitrary number assigned when the artwork reaches the contest coordinator. Entries will be judged on the basis of anatomical accuracy, artistic composition and perspective and reproduction capabilities. They should lend themselves to reproduction with the fullest possible attention to tone and detail.

Section 2550.60 Subject Matter Restrictions

- a) The subject species for the contest shall be left to the discretion of the artist. It must, however, be a design using one of the salmonid species found in Illinois which includes chinook and coho salmon, and rainbow, brown, lake and brook trout.
- b) The design must be the original creation of the contestant, and may NOT be copied or duplicated from previously published art including published photographs.

Section 2550.70 Submission Procedures for Entry

- a) All entries must be mounted and/or matted and protected by a covering of acetate or other clear material. Entries will NOT be accepted if they are in wooden frames or under glass.
- b) There shall be a \$10 non-refundable entry fee to cover costs of administering the contest.
- c) Entries should be sent to: Illinois Salmon Stamp Contest, Illinois Department of Natural Resources, 524 South Second Street, Springfield, IL 62706
- d) Each contestant must include a signed Purchase-Award Agreement/Entry Form, a \$10 check or money order made out to: Illinois Department of Natural Resources, and a stamped, self-addressed envelope for return of the artwork.

Section 2550.80 Property Insurance for Entries

- a) It is advisable to obtain adequate property insurance coverage for your artwork and to send it by registered mail.
- b) The Department will not be held liable for any theft or damage which may occur to any entry.

Section 2550.90 Display and Return of Entries

- a) Following the judging, all entries will be identified and on display throughout the week-end.
- b) All artwork, except the winning entry, will be returned to their owners in stamped, self-addressed envelopes to be supplied by each contestant. However, the Department reserves the right to retain the 2nd, 3rd, 4th and 5th place entries for 90 days.

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- c) The winning entry becomes the property of the Department to be used in the production of the Illinois Salmon Stamp in accordance with the Purchase-Award Agreement.
- d) The Department will also produce a limited edition of 500 prints from the winning entry. Each of the prints and the original painting shall be signed and the reproductions shall be serially numbered by the artist.
- e) The Department reserves the right to utilize the winning entry and any reproductions as outlined in the Purchase-Award Agreement. The Department also reserves the right to use photographs of any entry for publicity purposes.

Section 2550.100 Failure to Comply With Contest Rules and Procedures

Contestants failing to comply with the requirements of these procedures and regulations shall be disqualified.

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Section 2550.EXHIBIT A Illinois Salmon Stamp Contest Purchase-Award Agreement

I hereby agree to the following conditions if my entry is selected in the Stamp Contest:

1. This original entry, as prepared by myself and submitted to the Illinois Department of Natural Resources, becomes the property of the Department. Such design may be used to produce the Salmon Stamp and may be copied and reproduced by the Department, and such copies and reproductions may be published and otherwise distributed or exclusively used by the Department. It is further understood and agreed by the artist that the only compensation to the undersigned artist for said original artwork and all reproduction rights herein sold and assigned is a \$1,000 Purchase-Award made by the Department, 50 Artist's Proof Prints and reimbursable expenses as set forth in this agreement.
2. The Department shall reserve the right to utilize the artwork and reproductions thereof in such promotional programs as are deemed necessary and useful, including those programs used in enhancing the fund-raising value of the limited edition, signed and numbered prints.
3. I agree to sign and serially number each of the 500 limited edition prints and the original artwork.
4. Any and all reproductions of the design made or authorized by the Department under the terms of this agreement, except the reproduction and painting of the Illinois Salmon Stamp, specifically shall refer to the fact that the original thereof has been designed by the artist.
5. I hereby affirm that this entry is a work of my own creation, neither copied nor duplicated from previous published art, including paintings, drawings in any medium, or published photographs. I agree that all prize money, artist's proofs and other compensation shall be forfeited for violation of this condition.
6. I agree that any minor changes in my design, if accepted for the Salmon Stamp design, may be made by the Department of Natural Resources.
7. I agree to consult with the printing and publishing house responsible for producing the numbered prints when the publishing house finds it necessary for the production of prints. This will include my technical review for quality, technical accuracy, etc., and approval prior to reproduction. All expenses incurred in conjunction with this review and signing will be reimbursed by the Department.
8. I certify that I have not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois, nor have I made an admission of guilt of such conduct which is a matter of record.

Please fill out the information below and send this Purchase-Award Agreement/Entry Form along with your \$10 entry fee and artwork to:

Salmon Stamp Contest
Illinois Department of Natural Resources
524 South Second Street

DEPARTMENT OF NATURAL RESOURCES

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Springfield, IL 62706

Don't forget to include your stamped-self-addressed envelope if you want your artwork returned.

I have read and agreed to the terms of this Purchase-Award Agreement.

Artist's Signature

Artist's Name

(please print)

Street Address

City

State Zip Code

Telephone

Date

Species of Fish

Accepted by:

Illinois Department of Natural Resources

Date

Entry Number

DEPARTMENT OF PROFESSIONAL REGULATIONS

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Illinois Athletic Trainers Practice Act2) Code Citation: 68 Ill. Adm. Code 11603) Section Numbers: Proposed Action:
1160.50 Amendment
1160.65 Amendment4) Statutory Authority: Illinois Athletic Trainers Practice Act [225 ILCS 5]5) A Complete Description of the Subjects and Issues Involved: Section 1160.50 is amended to clarify that individuals restoring a license following military service are exempt from the continuing education (CE) requirement. Section 1160.65 is amended to increase the number of CE hours which may be earned per renewal period from 12 to 26 for writing papers or book chapters, self-study courses, or teleconferencing. Includes CPR certification for CE credit, and adds a mechanism for late approval of out of state CE.6) Will these proposed amendments replace emergency amendments currently in effect? No7) Does this rulemaking contain an automatic repeal date? No8) Do these proposed amendments contain incorporations by reference? No9) Are there any other proposed amendments pending on this Part? No10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield IL 62786
217/785-0813
Fax #: 217/782-7645

All written comments received within 45 days after this issue of the *Illinois Register* will be considered.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Those providing athletic trainer services.

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B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: Athletic
trainer skills are necessary for licensure.

13) Regulatory Agenda on which this rulemaking was summarized: July 1999

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATIONS

NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1160

ILLINOIS ATHLETIC TRAINERS PRACTICE ACT

Section	
1160.20	Examination
1160.30	Application for Licensure
1160.31	Approved Programs
1160.35	Fees
1160.40	Renewals
1160.50	Restoration
1160.60	Endorsement
1160.65	Continuing Education
1160.70	Annual Report of Board
1160.80	Granting Variances

AUTHORITY: Implementing the Illinois Athletic Trainers Practice Act [225 ILCS 5] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Emergency Rule adopted at 10 Ill. Reg. 4759, effective March 12, 1986, for a maximum of 150 days; adopted at 10 Ill. Reg. 20731, effective December 1, 1986; amended at 11 Ill. Reg. 9939, effective May 12, 1987; transferred from Chapter I, 68 Ill. Adm. Code 160 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1160 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2935; amended at 20 Ill. Reg. 2408, effective January 29, 1996; amended at 24 Ill. Reg. _____, effective _____.

Section 1160.50 Restoration

- a) A person seeking restoration of a license that has expired for less than 5 years shall have the license restored upon payment of \$20 plus all lapsed renewal fees as set forth in Section 1160.35(g) of this Part. After May 31, 1998, a person seeking restoration of a license shall provide evidence of successful completion of 40 hours of continuing education in accordance with Section 1160.65 earned within the 2 years immediately preceding the restoration.
- b) A person seeking restoration of a license that has been placed on inactive status for less than 5 years shall have the license restored upon payment of the current renewal fee specified in Section 1160.35(d) of this Part. After May 31, 1998, a person seeking restoration of a license shall provide evidence of successful completion of 40 hours of continuing education in accordance with Section 1160.65 earned within the 2 years immediately preceding the

DEPARTMENT OF PROFESSIONAL REGULATIONS

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restoration.

c) A person seeking restoration of a license after it has expired or been placed on inactive status for more than 5 years shall file an application, on forms supplied by the Department, together with the fee(s) set forth in subsections (a) and (b) above. The application shall also include one of the following documents:

- 1) Sworn evidence of active practice in another jurisdiction. Such evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the registrant was authorized to practice during the term of said active practice; or
- 2) An affidavit attesting to military service as provided in Section 12 of the Act; or
- 3) Other evidence of continued active participation in athletic training for at least the last 2 years.
 - A) Such evidence shall show that he/she has been employed in a responsible capacity under the supervision of a licensed athletic trainer; or
 - B) Been an officer or employee of the United States government as a practicing athletic trainer; or
 - C) Been teaching athletic training in a college or university; or

D) Has attended, during the 2 years preceding application for restoration athletic training educational programs conducted by an accredited college or university or a professional athletic training association or similar program approved by the Department upon recommendation of the Illinois Board of Athletic Trainers. After May 31, 1998 an applicant shall submit proof of 40 hours of continuing education in accordance with Section 1160.65 of this Part.

d) Any person seeking restoration of a license within 2 years after discharge from military service pursuant to Section 12 of the Act will be required to pay only the current renewal fee and will not be required to submit proof of meeting the continuing education requirements.

e) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience is questioned by the Department because of lack of information, discrepancies or conflicts in information given or a need for clarification, the person seeking restoration of a license shall be required to:

- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview(s) before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information. Upon recommendation of the Board and approval by the Department, an applicant shall have the license restored.

(Source: Amended at 24 Ill. Reg. _____, effective

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Section 1160.65 Continuing Education

a) Continuing Education Hour Requirements

- 1) Beginning with the May 31, 1998, renewal and for every renewal thereafter, renewal applicants shall complete 40 hours of Continuing Education (CE) relevant to the practice of athletic training during each prerenewal period. The Department shall conduct audits to verify compliance with this Section. The prerenewal period is the 24 months preceding the expiration date of the license.

2) A renewal applicant is not required to comply with CE requirements for the first renewal following the original issuance of the license.

3) Athletic trainers licensed in Illinois but residing and practicing in another state must comply with the CE requirements set forth in this Section.

b) Activities for which CE credit may be earned are as follows:

- 1) Verified attendance or participation in any continuing education course approved by the National Athletic Trainers' Association Board of Certification or the Illinois Athletic Trainers' Association.
- 2) Verified attendance at or participation in a program given by a sponsor as set forth in subsection (c)(1) of this Section.

3) A maximum of 26 1/2 hours per prerenewal period for:

- A) Papers prepared or delivered before recognized athletic trainer organizations;
- B) Papers published in nationally recognized athletic training journals;
- C) Writing a chapter in a book about athletic training;
- D) Self-study courses taken through an accredited college or university or an approved sponsor; and
- E) Training taken via teleconferencing with a live moderator through an accredited college or university or an approved sponsor.

4) A licensee who serves as an instructor, speaker or discussion leader of a course given by an approved sponsor will be allowed CE course credit for actual presentation time, plus actual preparation time of up to 2 hours for each hour of presentation. Preparation time shall not be allowed for presentations of the same course. In no case shall credit for actual time of presentation and preparation be given for more than 9 hours during any renewal period.

5) The continuing education hours used to satisfy the CE requirements for renewal of an athletic trainer license held in another jurisdiction shall be applied toward the CE requirements for renewal of an Illinois athletic trainer license.

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- 6) Three (3) semester hours of course work relevant to athletic training completed at an accredited college or university. One semester of course work is equivalent to 15 hours of CE and one quarter of course work is equivalent to 10 hours of CE.
- 7) A CE hour equals 50 minutes. After completion of the initial CE hour, credit may be given in one-half hour increments.
- 8) CPR certification by the American Red Cross, American Heart Association, National Safety Council, or their international affiliates. Five hours of continuing education may be earned for one CPR certification. No more than 2 CPR certifications may be submitted per renewal.
- c) CE Sponsors and Programs
 - 1) Sponsor, as used in this Section, shall mean:
 - A) The National Athletic Trainers' Association Board of Certification or the Illinois Athletic Trainers' Association;
 - B) Any other school, college or university, State agency, or any other person, firm or association that has been approved and authorized by the Department to coordinate and present continuing education courses and programs in conjunction with this Section.
 - 2) An entity seeking approval as a CE sponsor shall file an application, along with the required fee set forth in Section 1160.35(e) of this Part, which includes:
 - A) Certification:
 - i) That all courses and programs offered by the sponsor for CE credit will comply with the criteria in subsection (c)(5) below and all other criteria in this Section;
 - ii) That the sponsor will be responsible for verifying attendance at each course or program and provide a certificate of completion as set forth in subsection (c)(7); and
 - iii) That upon request by the Department, the sponsor will submit such evidence as is necessary to establish compliance with this Section. Such evidence shall be required when the Department has reason to believe that there is not full compliance with the Act and this Part and that this information is necessary to ensure compliance;
 - B) A copy of a Certificate of Attendance or Participation which meets the requirements set forth in subsection (c)(7); and
 - C) A sample of a CE course which includes, but is not limited to, course materials, books, instructor credentials.
 - 3) Each sponsor shall submit by May 31 of even numbered years a renewal application along with the required renewal fee set forth in Section 1160.35(f) of this Part. With the application the sponsor shall be required to submit to the Department a list of

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- all courses and programs offered in the past 2 years, which includes a description, location, date and time the course was offered.
- 4) State agencies, colleges and universities shall submit a sponsor application in accordance with subsections (c)(2) and (3) above; however, they shall be exempt from payment of the fee.
 - 5) All courses and programs shall:
 - A) Contain materials that contribute to the advancement, extension and enhancement of professional skills and knowledge in the practice of athletic training;
 - B) Specify the course objectives, course content and teaching methods to be used;
 - C) Be developed and presented by persons with education and/or experience in the subject matter of the program;
 - D) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for license renewal; and
 - E) Include some mechanism whereby participants evaluate the overall quality of the program.
 - 6) All programs given by sponsors shall be open to all licensed athletic trainers and not be limited to the members of a single organization or group.
 - 7) Certificate of Attendance or Participation. It shall be the responsibility of the sponsor to provide each participant in an approved program or course with a certificate of attendance or participation which shall contain the following information:
 - A) The name, address and license number of the sponsor;
 - B) The name and license number of the participant;
 - C) A brief statement of the subject matter;
 - D) The number of clock hours actually attended in each program;
 - E) The date and place of the program; and
 - F) The signature of the sponsor.
 - 8) The sponsor shall maintain course materials and attendance records containing all information in subsection (c)(7) above for not less than 5 years, except for the signature of the sponsor.
 - 9) The sponsor shall be responsible for assuring that no renewal applicant shall receive CE credit for time not actually spent attending the program.
 - 10) The Department, upon recommendation of the Board, shall withdraw, suspend or place on probation the approval of a CE sponsor when, at any time, the quality of the CE fails to meet the established criteria as set forth in this Section or if the sponsorship approval was based upon false or deceptive information or if any other related license of the sponsor or instructor is suspended, revoked or otherwise disciplined.
 - 11) Notwithstanding any other provision of this Section, the Department or Board may evaluate any sponsor of any continuing education program at any time.

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12) The Department shall maintain a list of all approved continuing education sponsors.

d) Continuing Education Earned in Other Jurisdictions.

1) If a renewal applicant will be earning or has earned CE hours in another jurisdiction, the applicant is not licensed in that jurisdiction and the course is not presented by an approved sponsor, the applicant shall submit an individual program approval request form, along with a \$20 processing fee, to have the program reviewed. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(5) of this Section. Applicants may seek individual program approval prior to participation in the course or program. All individual program approval requests shall be submitted at least 90 days prior to the expiration date of the license.

2) If a licensee fails to submit an out of state CE approval form within the required time frame, late approval may be obtained by submitting the approval request form with the \$20 processing fee plus a \$10 per CE hour late fee not to exceed \$150. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.

e) Certification of Compliance with CE Requirements

1) Each renewal applicant shall certify, on the renewal application, full compliance with the CE requirements set forth in subsection (a), above.

2) The Department may require additional documentation in order to demonstrate compliance with the CE requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance. Such additional documentation will be required in the context of a Department audit.

3) When there appears to be a lack of compliance with CE requirements, an applicant will be notified and may request an interview with the Board. At that time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].

f) Restoration of Nonrenewed License. Upon evidence of compliance with CE requirements, the Department may restore the license upon payment of the required fee.

g) Waiver of CE Requirements

1) Any renewal applicant seeking renewal of a license without having fully complied with these CE requirements shall file with the Department a renewal application, the required renewal fee, a statement setting forth the facts concerning such non-compliance, and a request for waiver of the CE requirements on the basis of these facts. The applicant may request an interview with the Board at the time of the waiver request. If the Department, upon

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the written recommendation of the Board, finds from the applicant's affidavit or any other evidence submitted that extreme hardship has been shown to substantiate granting of a waiver, the Department shall waive enforcement of such requirements for the renewal period for which the applicant has applied.

2) If an interview with the Board is requested at the time the request for such waiver is filed with the Department, the renewal applicant shall be given at least 20 days written notice of the date, time and place of such interview by certified mail, return receipt requested.

3) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prereneal period because of:

- A) Full-time service in the armed forces of the United States of America during a substantial part of the prereneal period;
- B) An incapacitating illness, documented by a currently licensed physician;
- C) A physical inability to travel to the sites of approved programs documented by a currently licensed physician; or
- D) Any other similar extenuating circumstances (i.e., family illness and prolonged hospitalization).

4) Any renewal applicant who, prior to the expiration date of his/her license, submits a request for a waiver, pursuant to the provisions of this Section shall be deemed to be in good standing and may practice until the Department's final decision on the waiver has been made.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Practice and Procedure for Hearings Before the Property Tax Appeal Board

2) Code Citation: 86 Ill. Adm. Code 1910

Section Numbers:	Proposed Action:
1910.5	Amended
1910.25	Amended
1910.30	Amended
1910.40	Amended
1910.50	Amended
1910.60	Amended
1910.63	Amended
1910.67	Amended
1910.69	Amended
1910.71	Amended
1910.73	New Section
1910.74	New Section
1910.75	Amended
1910.90	Amended

4) Statutory Authority: 35 ILCS 200/Art.7 and 16-180 through 16-195

5) A Complete Description of the Subjects and Issues Involved:

Section 1910.05 - Construction and Definitions: This Section is amended to correct a typographical error in the numbering of the Section. The Section should have been labeled 1910.05 instead of 1910.5. Subsection (c) is deleted because it is no longer applicable; therefore, subsections (d) and (e) are relettered.

Section 1910.25 - Computing Time Limits: This Section is amended to clarify the date in which the Board considers evidence, documentation, or any other correspondence being filed with the Board.

Section 1910.30 - Petitions - Application: This Section is amended to eliminate repetitive language and to clarify the Board's procedure on forwarding an appellant's petition to the board of review and state's attorney for the county in which the appeal was filed. This Section is also amended to reflect changes in Sections 12-50 and 16-160 of the Property Tax Code.

Section 1910.40 - Board of Review Response to Petition Application: This Section is amended to clarify existing language and grammar. In addition, this Section is amended to require the board of review to notify taxing districts of the filing of an appeal within 30 days after the Board's notification to the board of review of the appeal.

PROPERTY TAX APPEAL BOARD

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Section 1910.50 - Determination of Appealed Assessment: This Section is amended to delete subsections (f) and (g) which will be moved to Section 1910.74. As a result, subsections (h) through (m) are relettered.

Section 1910.60 - Interested Parties - Intervention: This Section is amended to clarify existing language and grammar. It is also amended to extend from 20 to 30 days the time to refile a request to intervene which was returned for being incomplete.

Section 1910.63 - Burdens of Proof: This Section is amended to clarify existing language and grammar.

Section 1910.67 - Hearings: This Section is amended to delete subsection (e) in order to incorporate similar provisions in Section 1910.73 which is a new Section addressing pre-hearing conferences. Subsequently, subsections (f) through (o) are relettered.

Section 1910.69 - Sanctions: This Section is amended to allow the Board to default a party due to its failure to honor a subpoena request.

Section 1910.71 - Ex Parte Communications: This Section is amended to clarify existing language and grammar.

Section 1910.73 - Pre-hearing Conference - Settlement Conference: This Section outlines the procedure for establishing and conducting pre-hearing conferences and settlement conferences.

Section 1910.74 - Administrative Review: This Section outlines the process for seeking administrative review of a decision of the Property Tax Appeal Board.

Section 1910.75 - Access to Board Records - Freedom of Information Procedures: This Section is amended to add a comma after the Springfield, in subsection (c) which is the address for submitting Freedom of Information Requests.

Section 1910.90 - Practice Rules: This Section is amended to clarify existing language and grammar.

6) Will these proposed amendments replace emergency rules currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporation by reference? No

9) Are there any other proposed amendments pending on this Part? No

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENTS

10) Statement of Statewide Policy Objectives: This rulemaking* will not modify or expand a State mandate.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may comment on this proposed rulemaking by filing such comments in writing, within 45 days after publication of this notice in the *Illinois Register*, with the Property Tax Appeal Board at its offices in Springfield:

James W. Chipman - Executive Director
Property Tax Appeal Board
Rm. 402, Stratton Office Building
401 S. Spring St.
Springfield, Illinois 62706
217/782-6076

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: All small businesses owning taxable real property in Illinois.

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because: the Property Tax Appeal Board did not anticipate revising these rules at the time the most recent agenda was published.

The full text of the Proposed Amendments begins on the next page:

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 86: REVENUE

CHAPTER II: PROPERTY TAX APPEAL BOARD

PART 1910

PRACTICE AND PROCEDURE FOR HEARINGS
BEFORE THE PROPERTY TAX APPEAL BOARD

Section	
1910.051910-5	Construction and Definitions
1910.10	Statement of Policy
1910.20	Correspondence
1910.25	Computing Time Limits
1910.30	Petitions - Application
1910.40	Board of Review Response to Petition Application
1910.50	Determination of Appealed Assessment
1910.60	Interested Parties - Intervention
1910.63	Burdens of Proof
1910.65	Documentary Evidence
1910.66	Rebuttal Evidence
1910.67	Hearings
1910.68	Subpoenas
1910.69	Sanctions
1910.70	Representation at Hearings
1910.71	Ex Parte Communications
1910.73	Pre-hearing Conference - Settlement Conference
1910.74	Administrative Review
1910.75	Access to Board Records - Freedom of Information Procedures
1910.76	Publication of Annual Synopsis
1910.80	Forms
1910.90	Practice Rules
1910.95	Separability

AUTHORITY: Implementing and authorized by the Property Tax Code [35 ILCS 200/Art. 7 and 16-180 through 16-195].

SOURCE: Adopted at 4 Ill. Reg. 23, p. 106, effective May 27, 1980; codified at 8 Ill. Reg. 19475; amended at 13 Ill. Reg. 16454, effective January 1, 1990; amended at 21 Ill. Reg. 3706, effective March 6, 1997; amended at 21 Ill. Reg. 11949, effective August 13, 1997; amended at 21 Ill. Reg. 14551, effective October 27, 1997; amended at 22 Ill. Reg. 957, effective December 19, 1997; amended at 22 Ill. Reg. 16533, effective September 2, 1998; amended at 24 Ill. Reg. _____, effective _____.

Section 1910.051910-5 Construction and Definitions

- a) Standards. This Part is to be construed in accordance with the appropriate provisions of the Statute on Statutes [5 ILCS 70].
- b) Definitions. The following words and phrases, whenever used in this

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENTS

Part, include in their meaning the definitions set below:

- 1) Board - Property Tax Appeal Board.
- 2) The Code - Property Tax Code [35 ILCS 200].
- 3) Real Property - The land itself, with all things contained therein, and also all buildings, structures and improvements, and other permanent fixtures thereon, including all oil, gas, coal, and other minerals in the land and the right to remove such oil, gas, and other minerals, excluding coal, from the land, and all rights and privileges belonging or pertaining thereto, except where otherwise specified by the Code. Included therein is any vehicle or similar portable structure used or so constructed as to permit its use as a dwelling place, if the structure is resting in whole on a permanent foundation. (Section 1-130 of the Code)
- 4) Farm - When used in connection with valuing land and buildings for an agricultural use, any property used solely for the growing and harvesting of crops; for the feeding, breeding and management of livestock; for dairying or for any other agricultural or horticultural use or combination thereof; including, but not limited to, hay, grain, fruit, truck or vegetable crops, floriculture, mushroom growing, plant or tree nurseries, orchards, forestry, sod farming and greenhouses; the keeping, raising and feeding of livestock or poultry, including dairying, poultry, swine, sheep, beef cattle, ponies or horses, fur farming, bees, fish and wildlife farming. The dwellings and parcels of real property on which farm dwellings are immediately situated shall be assessed as a part of the farm. Improvements, other than farm dwellings, shall be assessed as a part of the farm and in addition to the farm dwellings when such buildings contribute in whole or in part to the operation of the farm. For purposes of this part, "farm" does not include property which is primarily used for residential purposes even though some farm products may be grown or farm animals bred or fed on the property incidental to its primary use. The ongoing removal of oil, gas, coal or any other mineral from property used for farming shall not cause that property to not be considered as used solely for farming. (Section 1-60 of the Code)
- 5) Fair Cash Value - The amount for which a property can be sold in the due course of business and trade, not under duress, between a willing buyer and a willing seller. (Section 1-50 of the Code)
- 6) PIN; Property Index Number; Permanent Index Number; Parcel Index Numbering - A number used to identify a parcel of property for assessment and taxation purposes. The index number shall constitute a sufficient description of the property to which it has been assigned, wherever a description is required by the Code. (Section 1-120 of the Code)
- 7) Taxing District - Any unit of local government, school district or community college district with the power to levy taxes.

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENTS

(Section 1-150 of the Code)

- 8) Party, Interested Party - Either the contesting party (appellant), the board of review (appellee), or the intervenor(s).
- 9) Attorney - Any individual admitted to the practice of law in this State as set forth in the Attorney Act [705 ILCS 205].
- 10) Brief - A document which contains a summary of the facts, the pertinent laws, and an argument on how such laws apply to the facts supporting a particular position.
- 11) Quadrennial Assessment - The general assessment of real property required by law to be made once every four years. (Sections 1-65, 9-215, 9-220 and 9-225 of the Code)
- 12) Triennial Assessment - In counties of 3,000,000 or more inhabitants, the general assessment of real property required by law to be made once every three years. (Section 9-220 of the Code)
- c) All references to the board of review shall be deemed to include the Cook County Board of Appeals until the first Monday in December 1998.
- cd) All references in these rules to property record card shall be deemed to include, as a substitute, a property characteristic printout detailing the property's physical characteristics.
- de) Interpretation. The definitions listed above are intended only as an aid to interpretation of the Official Rules of the Property Tax Appeal Board (this Part).

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 1910.25 Computing Time Limits

- a) The time within which any act under these rules is to be done shall be computed by excluding the first day and including the last. Saturdays, Sundays and legal holidays for the State of Illinois shall be included in computing the time, except that when such time expires on a Saturday, Sunday or legal holiday for the State of Illinois, such period shall be extended to include the next following business day.
- b) Petitions, evidence, motions, and all other written correspondence sent by mail or any other delivery service will be considered as filed with the Property Tax Appeal Board on the date postmarked.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 1910.30 Petitions - Application

- a) In counties with less than 3,000,000 inhabitants, petitions for appeal shall be filed within 30 days after the postmark date or personal service date of the written notice of the decision of the

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board of review. In counties with 3,000,000 or more inhabitants, petitions for appeal shall be filed within 30 days after the postmark date or personal service date of the written notice of the decision of the board of review or within 30 days after the date that the board of review transmits to the county assessor pursuant to Section 16-125 its final action on the township in which the property is located, whichever is later. ~~(see Section 12-50 of the Code). Petitions sent by mail shall be considered as filed on the date postmarked. Faxed petitions and evidence will not be accepted by the Board.~~

b) Petitions for appeal shall be filed within 30 days after the postmark date or personal service date of written notice of the application of final adopted township equalization factors by the board of review. ~~Petitions sent by mail shall be considered as filed on the date postmarked. Faxed petitions and evidence will not be accepted by the Board.~~

c) The petition for appeal shall be on the prescribed form and a separate petition must be filed for each separately assessed parcel except for condominium buildings or unless a written request is made to the Board for the filing of a single petition for multiple parcels. Such request, together with the petition, shall be filed within 30 days after the postmark date or personal service of written notice of the decision of the board of review. Each petition shall identify and describe the particular property including the PIN or plate number, if any, assigned to the subject parcel by the county. In appeals where multiple parcels are consolidated into a single petition, the assessed values and the relief requested for each individual parcel must be separately listed.

d) Each copy of petitions filed with the Property Tax Appeal Board shall bear an original signature of the contesting party or his attorney, and shall be filed with the Clerk of the Property Tax Appeal Board.

e) A copy of the written notice of the decision of the board of review shall be filed with the petition, if one has been issued.

f) Petitions for appeal shall be filed in triplicate and all copies of the same shall be properly signed as stated in subsection (d) of this Section. In every case where a change in assessed valuation of less than \$100,000 is sought, all written and documentary evidence must be submitted in duplicate with the petition. In every case where a change in assessed valuation of \$100,000 or more is sought, all written and documentary evidence must be submitted in triplicate with the petition. A photograph of the subject property should be submitted with the petition if it aids the contesting party in explaining the appeal.

g) If the contesting party is unable to submit written or documentary evidence with the petition, he must submit a letter requesting an extension of time with the petition. Upon receipt of such a request, the Board shall grant a 30 day extension of time. The Board shall grant additional or longer extensions for good cause shown. Good cause may include but is not limited to the inability to submit evidence for

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a cause beyond the control of the contesting party, such as the pendency of court action affecting the assessment of the property or the death or serious illness of a valuation witness. Without a written request for an extension, no evidence will be accepted after the petition is filed. Evidence sent by mail shall be considered as filed on the date postmarked.

h) Every petition for appeal shall state the facts upon which the contesting party bases his objection to the decision of the board of review, together with a statement of the contentions of law which he desires to raise. Each petition must also set forth the assessment for the subject property which the contesting party considers to be correct. If contentions of law are raised, the contesting party shall submit a brief in support of his position with the petition. Extensions of time shall be granted in accordance with subsection (g) of this Section. Failure to do so shall result in dismissal of the appeal.

i) Every petition for appeal shall give the post office address where mail addressed to the contesting party may be received by him or his attorney, together with his telephone number. The Property Tax Appeal Board must be notified in writing by any party of a change of address within 60 days of any such change.

j) The petition shall in all cases state the assessed value of the land and the assessed value of the improvements (structures), and the total assessed value as placed on the property by the local assessor and by the board of review. The petition must also state the assessed valuation which the contesting party claims to be correct.

k) All information required to fully complete the petition shall be furnished by the contesting party at the time the petition is filed. Incomplete petitions and/or a letter shall be returned with an explanation of the reasons for the rejection. The contesting party must resubmit the corrected petition within 30 days after the date of the return of the petition. If the returned petition is not resubmitted within the 30 day period, the appeal will be dismissed from consideration by the Board. Petitions which are not signed, petitions which do not state the assessed valuation assigned by the local assessor and the board of review, petitions which do not state the assessed valuation considered correct by the contesting party, and petitions not containing all information as required herein, shall be treated as incomplete petitions. Written or documentary evidence will be accepted after receipt of a completed petition only when a letter requesting an extension of time was received and granted.

l) Upon receipt of a completed petition, including the written and documentary evidence from the contesting party, the Clerk of the Property Tax Appeal Board shall send a copy of the petition, including all documentary evidence, to the board of review and shall only forward a copy of the petition to the State's Attorney of the county in which the property is located. The Clerk shall cause the petition to become a part of such appeal proceedings and record.

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- m) If the petition for appeal is filed by an interested taxing body, rather than by the taxpayer whose assessment is in question, the taxing body must furnish the name and address of the owner of the property in question. A copy of such completed petition shall then be sent to the owner of the property. Any petition filed without the name and address of the owner of the property in question shall be treated as an incomplete petition in accordance with subsection (k) of this Section.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 1910.40 Board of Review Response to Petition Application

- a) Upon receipt of the completed petition from the contesting party, the Clerk of the Property Tax Appeal Board shall notify the board of review of the filing of the appeal. Upon notification of the filing of the appeal, the board of review shall submit its completed Board of Review Notes on Appeal disclosing the final assessment of the subject property. The board of review Notes on Appeal shall also reflect the application of a local township multiplier where applicable. The board of review shall also submit a copy of the property record card of the subject property. The property record card should contain, where possible, a schematic drawing of all structural improvements to the land, a completed cost analysis, and an indication of the basis of the land value. The Board of Review Notes on Appeal and all written and documentary evidence supporting the board of review's position must be submitted to the Property Tax Appeal Board within 30 days after the date and/or postmark of the notice of the filing of an appeal unless the board of review objects to the jurisdiction of the Property Tax Appeal Board over the assessment appeal. In every case where a change in assessed valuation of less than \$100,000 is sought, all written and documentary evidence must be submitted in duplicate. In every case where a change in assessed valuation of \$100,000 or more is sought, all written and documentary evidence must be submitted in triplicate.

- b) If the board of review objects to the Board's jurisdiction, it must submit a written request for dismissal of the petition prior to the submission of the Board of Review Notes on Appeal and accompanying documentation. The request for dismissal must set forth the basis of the board of review's objections to the Property Tax Appeal Board's jurisdiction over the appeal. In such cases, the Property Tax Appeal Board shall transmit a copy of the request for dismissal to the contesting party and secure a written response to the request for dismissal from the contesting party within 30 days after the postmark date of the notice of the filing of the motion to dismiss. A copy of the response shall be transmitted to the board of review. Upon receipt of the request for dismissal and the response, the Property

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- c) If the board of review objects to the Board's jurisdiction and the board of review shall submit Board of Review Notes on Appeal, the subject's property record card and all written and documentary evidence within 30 days after the Board's decision determining jurisdiction.
- d) If the board of review is unable to submit the additional written or documentary evidence with the Notes on Appeal, it must submit a letter requesting an extension of time with the Board of Review Notes on Appeal. Upon receipt of such a request, the Board shall grant a 30 day extension of time. The Board shall grant additional or longer extensions for good cause shown. Good cause may include but is not limited to be the inability to submit evidence for a cause beyond the control of the board of review, such as ~~as~~ ~~but~~ ~~not~~ ~~limited~~ ~~to~~ the pendency of court action affecting the assessment of the property or the death or serious illness of a valuation witness. Without a written request for an extension, no evidence will be accepted after the Board of Review Notes on Appeal is filed.
- e) The Clerk shall cause the board of review's evidence ~~such~~ ~~assessment~~ ~~record~~ to become a part of such appeal proceeding and record, and shall send a copy of the same to the contesting party or his attorney. Pursuant to Section 16-180 of the Property Tax Code, in every case ~~for~~ ~~appeal~~ where a change in assessed valuation of \$100,000 or more is sought, the board of review shall, within 30 days after the receipt of the notice of the filing of an appeal with the Board, serve a copy of the petition ~~filed with the Property Tax Appeal Board~~ ~~upon receipt of the same~~ on all taxing districts as shown on the last available tax bill. The board of review shall also serve a certificate of service on the Property Tax Appeal Board within 30 days after the receipt of the notice of the filing of an appeal with the Board affirming that all taxing districts have been notified ~~received~~ ~~notification of the appeal~~. The certificate of service shall be signed by a member of the board of review or the clerk of the board of review.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 1910.50 Determination of Appealed Assessment

- a) All proceedings before the Property Tax Appeal Board shall be considered de novo which shall mean that the Property Tax Appeal Board will consider only the evidence, exhibits and briefs submitted to it, and will not give any weight or consideration to any prior actions by a local board of review or to any submissions not timely filed or not specifically made a part of the record. (Section 16-180 of the Code)

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- b) ~~The Board--statute--the~~ Property Tax Appeal Board may accept into the record all evidence, exhibits and briefs submitted by all interested parties and render a decision without holding a hearing. On its own motion, the Board may order a hearing to be held at a time and place designated by the Board. A hearing shall be granted if any party to the appeal submits a request in writing. (Section 16-170 of the Code)
- c) The decisions of the Property Tax Appeal Board will be based on equity and the weight of the evidence.
- 1) In all counties other than Cook, a three-year county wide assessment level to be based on relevant sales during the previous three years as certified by the Department of Revenue will be considered where sufficient probative evidence is presented indicating the estimate of full market value of the subject property on the relevant real property assessment date of January 1.
 - 2) In Cook County, for residential property of six units or less currently designated as Class 2 real estate according to the Cook County Real Property Assessment Classification Ordinance, as amended, where sufficient probative evidence indicating the estimate of full market value of the subject property on the relevant assessment date is presented, the Board may consider evidence of the appropriate level of assessment for property in that class. Such evidence may include:
 - A) the Department of Revenue's annual sales ratio studies for Class 2 property for the previous three years; and
 - B) competent assessment level evidence, if any, submitted by the parties pursuant to this Part.
 - 3) In Cook County, for all other classes of property, where sufficient probative evidence indicating the estimate of full market value of the subject property on the relevant assessment date is presented, the Board may consider competent evidence admitted pursuant to this Part, if any, which is relevant to the level of assessment applicable to the subject property under the Illinois Constitution, the Illinois Property Tax Code, and the Cook County Real Property Assessment Classification Ordinance, as amended.
 - d) Whether or not a hearing is held in the appeal proceeding, the proceeding before the Property Tax Appeal Board shall be terminated when the Board renders a decision. The Board may revise and/or correct a decision upon its own initiative at any time prior to the expiration of the Administrative Review filing period as provided in Section 16-195 of the Property Tax Code if a mistake in the calculation of an assessment or other clerical error is discovered. In such event, the Board shall issue an amended decision. The decision or order of the Property Tax Appeal Board in any such appeal shall, within 10 days after it is made and entered, be certified to every party to the proceeding and to the proper authorities, including the board of review whose decision was appealed, the County Clerk who

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- extends taxes upon the assessment in question, and the County Collector (Treasurer) who collects property taxes upon such assessment.
- e) A majority of the Members of the Board is required to make a decision of the Board.
 - f) Final--administrative--decisions--of--the--Property--Tax--Appeal--Board--are subject to review under the provisions of--the--Administrative--Review law--(335-1565-5/Arts-iii)--and--Section--16-195--of--the--Property--Tax--Code (335-1565-800/16-195).
 - g) ~~The required number of copies of--all--documents--in--an--appeal--file necessary to--complete--the--certification--of--the--Property--Tax--Appeal Board--proceedings--in--answer--to--a--complaint--for--Administrative--Review will--be--prepared--by--the--Property--Tax--Appeal--Board--at--a--cost--to--the--plaintiff--of--\$-25--per--page--except--for--pages--of--the--original transcript--which--will--have--a--cost--of--\$-75--per--page--and--for--pages larger--than--legal--size--which--will--have--a--cost--of--\$1-00--per--page--(Section--16-195--of--the--Code)--from--the--original--certification--of proceedings--which--will--be--filed--with--the--Clerk--of--the--Circuit--Court copies--of--the--proceedings--will--be--prepared--and--forwarded--to--the Attorney--General--State's--Attorney--and--the--plaintiff--in--the Administrative--Review--and--one--copy--will--be--retained--as--a--permanent record--for--the--Property--Tax--Appeal--Board--An--estimate--of--the--cost--of preparing--a--certified--record--will--be--mailed--to--the--plaintiff--Upon receipt--of--the--necessary--payment--the--Property--Tax--Appeal--Board--will prepare--certification--of--the--proceedings.~~
 - h) ~~If a petition is filed by a taxpayer with the Property Tax Appeal Board, the taxpayer is precluded from filing objections based upon valuation in the Circuit Court as may otherwise be permitted by Sections 21-175 and 23-5 of the Property Tax Code. (Section 16-160 of the Code)~~
 - i) ~~If a taxpayer files objections based upon valuation in the Circuit Court as permitted by Sections 21-175 and 23-5 of the Property Tax Code, the taxpayer is precluded from filing a petition contesting the assessment of the subject property with the Property Tax Appeal Board. (Section 16-160 of the Code)~~
 - j) ~~If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the board of review or after adjournment of the session of the board of review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of the written notice of the Property Tax Appeal Board decision, appeal the assessment for such subsequent year directly to the Property Tax Appeal Board. (Section 16-185 of the Code)~~
 - k) ~~If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225 of the Code, unless~~

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that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review. (Section 16-185 of the Code)

j) If a stipulation is agreed to by all interested parties, it may be taken into consideration by the Property Tax Appeal Board but must be supported by evidence in the record. The Board reserves the right to write a decision based on the facts, evidence and exhibits in the record.

km) The contesting party may, at any time before the hearing begins, upon notice to the parties to the appeal, move to dismiss the appeal, by written request filed with the Board. However, where a party to the appeal has filed substantive evidence in response to the contesting party's petition, a dismissal will only be granted if no objections are made by any party to the appeal.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 1910.60 Interested Parties - Intervention

a) Any taxpayer or owner of property dissatisfied with a decision of the board of review as such decision pertains to the assessment of his property may become a party to the appeal by filing a petition with the Property Tax Appeal Board within 30 days after the postmark date of personal service date of written notice of the decision of the board of review or the postmark date or personal service date of the written notice of the application of final, adopted township equalization factors ~~multipliers~~ by the board of review. If the taxpayer or owner of property files a petition within 30 days after of the postmark date or personal service date of the written notice of the application of final, adopted township equalization factors ~~multipliers~~, the relief the Property Tax Appeal Board may grant is limited to the amount of the increase caused by the application of the township equalization factor ~~multiplier~~.

b) Any taxing body that has a revenue interest in a decision of the board of review may become a party to an appeal by filing its petition within 30 days after the postmark date of the written notice to the taxpayer of a decision by the board of review. Any taxing district so filing must conform its petition and documentation to the provisions of Section 1910.30.

c) Upon notice to the owner that a taxing body has filed an appeal affecting his property, the owner or taxpayer may become an intervening party by filing in triplicate with the Clerk of the Property Tax Appeal Board a Request to Intervene within 30 days after the postmark date of the notice to the owner or taxpayer that the taxing body has filed an appeal.

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d) Any taxing body that has a revenue interest in an appeal before the Property Tax Appeal Board may become an intervening party by filing in triplicate with the Clerk of the Property Tax Appeal Board a Request to Intervene. The Request to Intervene must be filed within 60 days after the postmark date of the notice of the Board to the State's Attorney of the filing of an appeal, or within 30 days after the postmark of the board of review service as required in Section 16-180 of the Property Tax Code. The Request to Intervene must be accompanied by a copy of the resolution of the governing board of the taxing body authorizing its legal representative to file a Request to Intervene on its behalf.

e) Requests to Intervene shall be filed in triplicate and all copies of the same shall be signed. All additional written and documentary evidence must be submitted with the Request to Intervene in triplicate. Any Request to Intervene which is received without a copy of the resolution of the governing board of the taxing body authorizing its legal representative to file the Request to Intervene on its behalf shall be treated as incomplete and shall be returned. However, the intervening party may refile within 30 20 days after the date of the return of the Request to Intervene.

f) If the intervening party is unable to submit the additional written or documentary evidence with the Request to Intervene, it he must submit a letter requesting an extension of time with the Request to Intervene. Upon receipt of such a request, the Board shall grant a 30 day extension of time. The Board shall grant additional or longer extensions for good cause shown. Good cause may include but is not limited to the inability to submit evidence for a cause beyond the control of the intervening contesting party, such as the pendency of court action affecting the assessment of the property or the death or serious illness of a valuation witness. Without a written request for an extension, no evidence will be accepted after the Request to Intervene is filed.

g) The Clerk of the Property Tax Appeal Board shall cause such Request to Intervene and all accompanying documentation to become a part of the appeal proceeding and record, and shall send a copy of the same to the contesting party and the board of review. Upon receipt of a timely Request to Intervene, the Clerk of the Property Tax Appeal Board shall cause a copy of the appeal record to be forwarded to the intervening party.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 1910.63 Burdens of proof

a) Under the principles of a de novo proceeding, the Property Tax Appeal Board shall not presume the action of the board Board of Review Review or the assessment of any local assessing officer to be correct.

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- However, any contesting party shall have the burden of going forward.
- b) Under the burden of going forward, the contesting party must provide substantive, documentary evidence or legal argument sufficient to challenge challenging the correctness of the assessment of the subject property. Failure to do so will result in the dismissal of the appeal.
 - c) Once a contesting party has provided evidence or argument sufficient to challenge the correctness of the assessment of the subject property, the board Board of review Review shall be required to go forward with the appeal. The board Board of review Review must provide substantive, documentary evidence or legal argument sufficient to support its assessment of the subject property or some other, alternate valuation. Failure to do so will result in a decision by the Property Tax Appeal Board based upon the information submitted by the contesting party and, if applicable, the evidence submitted by any intervening party.
 - d) Any intervening party shall be required to support the position it he propounds with substantive, documentary evidence or legal argument as provided in this Part.
 - e) When market value is the basis of the appeal, the value of the subject property must be proved by a preponderance of the evidence. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 1910.67 Hearings

- a) The By--statute--the Property Tax Appeal Board may render a decision based upon the evidence, exhibits and briefs submitted to it by all interested parties without holding a hearing.
- b) The Property Tax Appeal Board shall review all appeals filed in compliance with these rules to determine whether a hearing shall be held on any factual or legal issue. Whenever the Board determines that a hearing is not required, the appeal shall be decided based upon the evidence in the record. The Board shall hold a hearing at the request of any party in writing. In the event a hearing is deemed necessary, the Board shall give notice to all parties to the appeal of the time, date, and place of the hearing at least 20 days prior to the hearing, unless the 20 day period is specifically waived by all the parties to the appeal.
- c) A party may request a decision of the Property Tax Appeal Board based upon the evidence in the record by filing a written request with the Board. Any such request shall not be binding on the Board.
- d) Notice of a hearing to all interested taxing bodies by the Property Tax Appeal Board shall be deemed to have been given when served upon the State's Attorney of the county from which the appeal has been

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- taken, unless such interested taxing bodies have specifically been made parties to the appeal proceeding.
- e) in--all--cases--where--a--change--in--assessed--valuation--of--\$300,000--or--more--is--sought--by--the--Property--Tax--Appeal--Board--shall--order--a--prehearing--conference--on--the--motion--of--any--party--to--the--appeal--in--all--appeals--the--Board--may--set--a--prehearing--conference--to--promote--the--narrowing--of--issues--stipulations--and--judicial--economy--The--Board's--determination--will--be--based--on--the--complexity--of--the--appeal--the--issues--in--controversy--and--the--potential--for--settlement--this--hearing--will--be--designed--to--ascertain--the--positions--of--the--parties--and--to--reach--agreements--on--stipulations--of--fact--admission--of--documents--and--all--other--matters--that--will--expedite--the--hearing--and--determination--of--the--appeal--whenever--the--cases--have--been--set--for--hearing--by--the--Board--and--one--or--more--factual--or--legal--issues--exist--which--can--be--resolved--at--a--prehearing--conference--The--Board--shall--issue--a--prehearing--order--resolving--matters--agreed--to--and--rulings--as--to--disputed--matters--The--order--shall--be--served--at--the--same--time--upon--all--parties--and--shall--control--the--subsequent--course--of--the--proceeding--
 - e) Hearings may be held before less than a majority of the Members of the Board, and the Chairman may assign Members or Hearing Officers to hold hearings. Any hearing may be conducted by the Property Tax Appeal Board at its offices in Springfield or Des Plaines or at any other location in Illinois selected by the Board. The Board may cause its Hearing Officer to conduct such hearing and report his findings for affirmation or rejection by the Board.
 - f) Hearings shall be open to the public and shall be conducted in accordance with such rules of practice and procedure as the Board may make and promulgate.
 - g) Every Hearing Officer presiding over a Property Tax Appeal Board hearing must meet the following requirements:
 - 1) possess a working knowledge of the English language, including composition and grammar;
 - 2) possess a working knowledge of standard office practices and procedures;
 - 3) possess an ability to effectively communicate technical information both orally and in writing;
 - 4) possess an ability to deal tactfully with the general public, attorneys, and service providers;
 - 5) possess an ability to prepare concise and factual reports on hearing findings for presentation to the Board;
 - 6) possess an ability to conduct hearings and obtain and analyze necessary information;
 - 7) possess a valid Illinois driver's license;
 - 8) be of high integrity and good personal repute;
 - 9) be familiar with this Part and the Property Tax Code;
 - 10) be disinterested and impartial; and
 - 11) have no financial or personal interest in the result of the hearing.

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h*) Authority of the Board and designated Hearing Officers.

1) In connection with any proceeding, the Board, or any of its designated Hearing Officers, shall have full authority over the conduct of a hearing and the responsibility for submission of the matter to the Board for decision. The Board or its designated Hearing Officer shall have those duties and powers necessary to these ends, including:

- A) To conduct hearings and pre-hearing conferences;
- B) To admit or exclude testimony or other evidence into the record pursuant to this Part;
- C) To administer oaths and affirmations and examine all persons appearing at the hearing to testify or to offer evidence;
- D) To require the production of any book, record, paper or document at any stage of the appeal or of the hearing which is the foundation for any evidence or testimony presented in the appeal;
- E) To require the submission of briefs on issues of law raised during the hearing within 60 days after the termination of the hearing;
- F) To call upon any person at any stage of the hearing to produce witnesses or information that is material and relevant to any issue; and
- G) To ensure that the hearing is conducted in a full, fair and impartial manner, that order is maintained, and that unnecessary delay is avoided in the disposition of the hearing.

2) Any Hearing Officer assigned to conduct a hearing on behalf of the Board shall be empowered to exercise the full authority of the Board with respect to the conduct and control of the proceeding.

i*) Continuances shall be granted for good cause shown in writing, and then only on an order of a Member of the Property Tax Appeal Board, or a duly authorized Hearing Officer. Good cause shall be the inability to attend the hearing at the date and time set by the Board for a cause beyond the control of the party, such as the unavoidable absence of a party, his attorney or material witness, or the serious illness of a party, a witness or party. The Board shall set the hearing of a continued case at the time it sets other hearings of appeals from the county in which the subject of the continued appeal lies, unless the parties request that the Board decide the appeal based upon the evidence in the record without a formal hearing.

j*) At the hearing, the contesting party shall first introduce his case into evidence, followed by the evidence of other parties to the appeal, in the order directed by the Property Tax Appeal Board or Hearing Officer. All parties are entitled to a rebuttal after all evidence of all parties has been introduced. Evidence submitted to the Board in documentary form may be made a part of the record without the document being read into the record if the Board or Hearing

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Officer so orders.

k*) In no case shall any written or documentary evidence be accepted into the appeal record at the hearing unless:

- 1) Such evidence has been submitted to the Property Tax Appeal Board prior to the hearing pursuant to this Part;
- 2) The filing requirement is specifically waived by the Board; or
- 3) The submission of the written or documentary evidence is specifically ordered by the Board or by a Hearing Officer.

lm) Appraisal testimony offered to prove the valuation asserted by any party shall not be accepted at the hearing unless a documented appraisal has been timely submitted by that party pursuant to this Part. Appraisal testimony offered to prove the valuation asserted may only be given by a preparer of the documented appraisal whose signature appears thereon.

nn) All testimony taken at the hearing shall be under oath or affirmation. The Board shall eliminate such rules of evidence, practice and procedure to the extent it considers practicable.

ne) In all cases where the contesting party is seeking a change of \$100,000 or more in assessed valuation, the contesting party must provide a court reporter at his own expense. The original certified transcript of such hearing shall be forwarded to the Property Tax Appeal Board and shall become part of the Board's official record of the proceedings on appeal. The court reporter's certified transcript should be forwarded as soon as possible but no later than within 60 days after the hearing.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 1910.69 Sanctions

a) Failure of any party to comply fully with all rules and/or specific requests of the Property Tax Appeal Board as provided in Sections 1910.30, 1910.40, 1910.60, 1910.65, and 1910.67, and 1910.68 of this Part shall result in the default of that party.

b) When a hearing is ordered by the Property Tax Appeal Board, all parties shall appear for the hearing on the appeal on the date and at the time hour set by the Property Tax Appeal Board. Failure to appear on the date and at the time hour set by the Property Tax Appeal Board shall be sufficient cause to default that party.

c) When a party, his attorney, or his witness engages in threatening, disruptive, vulgar, abusive or obscene conduct or language which delays or protracts a proceeding, the Board, by any Member, or Hearing Officer, shall exclude the offending person from the proceeding. Any party engaging in such conduct or language shall be defaulted.

d) Failure of the contesting party to furnish a court reporter as required in Section 1910.67(n) of this Part shall be sufficient cause to dismiss the appeal. Failure of the contesting party to

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furnish a court reporter's transcript within 60 days after the date of the hearing shall result in the dismissal of the appeal.

- e) Failure of the contesting party to pursue disposition of an appeal in a reasonable time will render the appeal subject to dismissal. In making this determination, the Board shall consider factors including, but not limited to, the history of the appeal, the length of time that has elapsed since the last action taken in the appeal, past attempts to schedule the appeal for hearing, and the contesting party's compliance with any Board or Hearing Officer **hearing-officer** requests or orders.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 1910.71 Ex Parte Communications

- a) Except in the disposition of matters that agencies are authorized by law to entertain or dispose of on an ex parte basis, the Board Members and Board employees shall not, with respect to any pending contested appeal pending, communicate directly or indirectly, in connection with any issue of fact, with any person, party or the representative of any party, except upon notice and an opportunity for all parties to participate.

- b) An ex parte communication received by any Board member or Board employee shall be made a part of the record of the pending appeal, including all written communications, all written responses to the communications, and a memorandum stating the substance of all oral communications and all responses made and the identity of each person for whom the ex parte communication was received.

- c) Communications regarding matters of practice and procedure, such as the status of appeals, filing requirements, form letters, scheduling of hearings, administrative review, and the like, are not considered ex parte communications under this Section.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 1910.73 Pre-hearing Conference - Settlement Conference

- a) The Board may on its own motion or on the motion of any party to the appeal set a pre-hearing conference. The Board's decision whether to conduct a pre-hearing conference will be based on the complexity of the appeal, the issues in controversy and the potential for settlement.

- b) The purpose of the pre-hearing conference shall be to:

- 1) ascertain the positions of the parties;
- 2) promote the narrowing of issues;
- 3) allow for the admissions of fact and/or stipulate to the

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENTS

admissibility of evidence;

- 4) exchange witness lists;

- 5) aid in the simplification of the evidence and disposition of the proceedings; or

- 6) reach a compromise settlement agreeable to the parties.

- c) In all cases where the contesting party is seeking a change in assessed valuation of \$100,000 or more, the Board may require or any party may request a court reporter be present to record and transcribe the conference. When the Board on its own motion sets a pre-hearing conference and requires the presence of a court reporter, the contesting party shall provide for the court reporter at his own expense. However, if any party requests a court reporter be present such expense shall be borne by the party requesting transcription. If a court reporter is not required at the pre-hearing conference, an electronic recording device will be used by the Board to record the proceeding.

- d) The Board shall issue a pre-hearing conference order setting forth the matters agreed to and rulings as to disputed matters. The order shall be served concurrently upon all parties and shall control the subsequent course of the proceeding.

- e) At any stage of the appeal, the Board or any of its Designated Hearing Officers may order an informal settlement conference and require the participation of the parties. The Board's determination will be based on the complexity of the appeal and the amount in controversy. Within 15 days after the informal settlement conference, the parties shall inform the Board in writing whether a settlement regarding the correct assessment of the subject property was reached. No court reporter nor any electronic recording device is required at the settlement conference.

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 1910.74 Administrative Review

- a) Final administrative decisions of the Property Tax Appeal Board are subject to review under the provisions of the Administrative Review Law [735 ILCS 5/Art. III] and Section 16-195 of the Code [35 ILCS 200/16-195].

- 1) In every case where a change in assessed valuation of less than \$300,000 was sought before the Board, an administrative review action shall be commenced in the Circuit Court.

- 2) In every case where a change in assessed valuation of \$300,000 or more was sought before the Board, an administrative review action shall be commenced directly in the Appellate Court for the district in which the property involved in the Board's decision is situated.

- b) The Property Tax Appeal Board will certify the record of its

PROPERTY TAX APPEAL BOARD

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proceedings at a cost, to the taxpayer or other entity seeking review, of \$.75 per page for the original transcript, \$.25 per page for all other matters contained in the record, except for any page larger than legal size which will have a cost of \$1.00 per page. [35 ILCS 200/16-195] The estimated cost of preparing the certified record will be mailed to the taxpayer or other entity seeking review. Upon receipt of the necessary payment, the Property Tax Appeal Board will prepare the certified record to be filed with the appropriate court. These charges may be waived when the Board is satisfied that the party seeking review under the Administrative Review Law cannot afford to pay such charges. The failure to make that payment shall relieve the Board of the necessity of filing the certified copy of the entire record of proceedings and shall be authority for the entry of an order by the court, on a motion by the Board or any other defendant, dismissing the action.

c) In all cases where administrative review is sought in the Circuit Court, the original certification of proceedings will be filed by the Board with the Clerk of the Circuit Court. Additional copies will also be prepared by the Board and forwarded to the Attorney General and parties of record to the proceedings. The taxpayer or other entity seeking review shall be responsible for the cost of producing the original and copies of the certified record.

d) In all cases where administrative review is sought directly in the Appellate Court, the original certification of proceedings will be filed by the Board with the Clerk of the Appellate Court. The taxpayer or other entity seeking review shall be responsible for the cost of producing the original certification.

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 1910.75 Access to Board Records - Freedom of Information Procedures

a) Board Policy.

This Section is established to implement the provisions of the Freedom of Information Act [5 ILCS 140]. The purpose of this Section is to support the policy of providing public access to public records in the possession of the Property Tax Appeal Board while, at the same time, protecting legitimate privacy interests and maintaining administrative efficiency.

b) Definitions.

- 1) FOIA - the Freedom of Information Act.
- 2) Freedom of Information Officer - the individual responsible for receiving and responding to requests for public records.
- 3) Requester - a person who submits a request for public records in accordance with this Section.
- 4) Working days - calendar days other than Saturdays and Sundays and legal State holidays.

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENTS

c) Person to whom requests are submitted. Requests for public records shall be submitted to the Freedom of Information Officer of the Board. Requests shall be submitted to the following address:

Freedom of Information Officer
Illinois Property Tax Appeal Board
402 Stratton Building
401 South Spring Street
Springfield, IL 62706
ATTN: FOIA Request

d) Form and contents of requests.

- 1) Requests in accordance with the FOIA and this Section shall be in writing. Such requests shall be submitted on FOIA request forms provided by the Board.
- 2) Oral requests are not precluded by the FOIA; neither are they governed by it.
- 3) The requester shall provide the following information in a request for public records:
 - A) The requester's full name, address, and telephone number;
 - B) A brief description of the public records sought, being as specific as possible; and
 - C) Whether the request is for inspection of public records, copies of public records, or both.
- e) Inspection of records at the Board's offices.
 - 1) Generally, public records will be available for inspection at the Board's offices in Springfield or Des Plaines between the hours of 8:30 AM and 5:00 PM Monday through Friday, except on State holidays. Space will be provided for the requester to inspect public records.
 - 2) An employee of the Board may be present throughout the inspection.
 - 3) A requester shall not be permitted to take briefcases, bags, folders or other similar materials, or pens, into the inspection area.
 - 4) A requester will be permitted to take pencils and paper into the inspection area.
 - 5) Documents which the requester wishes to have copied shall be segregated during the course of inspection. Generally, all copying will be done by Board employees.
 - f) Copies of public records.
 - 1) Copies of public records shall be provided to the requester only upon payment of any charges that are due.
 - 2) Fees for copies of public records shall be assessed in accordance with Section 6(a) of the FOIA. A schedule of fees will be available in each of the Board's offices as required by Section 4 of the FOIA. Fees may be reduced or waived if the requester

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENTS

- satisfies the criteria set forth in Section 6(b) of the FOIA.
- 3) Fees shall be waived if the requester is a State agency, a constitutional officer, or member of the General Assembly.
 - 4) Payment shall be made by check or money order payable to the Illinois Property Tax Appeal Board and sent to the Freedom of Information Officer.
 - 5) If the requester is unwilling or unable to pick up the copies of requested records at the Board's offices, the requester shall bear mailing or shipping costs.
 - g) Time for response.
 - 1) The Freedom of Information Officer shall respond to a written request for public records within 7 working days after receipt of such request.
 - 2) In the event the request for public records cannot be responded to within 7 days for one of the reasons provided in Section 3(d) of the FOIA, the Board shall have an additional 7 working days in which to respond. The Board shall give the requester notice of the extension of time to respond. Such notice of extension shall set forth the reasons why the extension is necessary.
 - h) Types of Board responses.
 - 1) The Freedom of Information Officer shall respond to a request for public records in one of three ways:
 - A) approve the request;
 - B) approve in part and deny in part; or
 - C) deny the request.
 - 2) Upon approval of a request for public records, the Freedom of Information Officer may either provide the materials immediately, give notice that the materials shall be made available upon payment of reproduction costs, or give notice of the time and place for inspection of records.
 - 3) A denial of a request for public records shall be made in writing. It shall state the reasons for the denial in accordance with either Section 3(f) or Section 7 of the FOIA and the names and titles of individuals responsible for the decision. It shall also give notice of the requester's right to appeal to the Chairman of the Board.
 - 4) Categorical requests creating an undue burden upon the Board shall be denied only after extending to the requester an opportunity to confer in an attempt to reduce the request to manageable proportions in accordance with Section 3(f) of the FOIA.
 - 5) Failure to respond to a written request within 7 working days may be considered by the requester a denial of the request.
 - i) Appeal of a denial.
 - 1) A requester whose request for public records has been denied by the Freedom of Information Officer may appeal the denial to the Chairman of the Board. The Notice of Appeal shall be in writing and shall be addressed to the Board's Springfield office,

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENTS

- attention: Chairman (FOIA Appeal).
- 2) The Notice of Appeal shall include a copy of the original request and a written statement setting forth the reasons why the requester believes the appeal should be granted.
 - j) Chairman's response to denial.

The Chairman shall respond to an appeal within 7 working days after receiving a Notice of Appeal. The Chairman shall either affirm the denial or provide access to the requested public records. Failure to respond within 7 working days may be considered by the requester as an affirmation of the denial.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 1910.90 Practice Rules

- a) The provisions of this Section are promulgated pursuant to Section 16-180 of the Code and shall apply to all appeals before hearings conducted by the Property Tax Appeal Board. Nothing contained in this Section shall in any way negate, limit, modify or otherwise affect any of the powers, duties or authority of the Board under the Code Act.
- b) Appeals filed with the Property Tax Appeal Board shall be set for hearing pursuant to Section 1910.67 of this Part. All hearings once commenced shall continue on successive work days until completed unless a Member or Designated Hearing Officer orders a continuance of the hearing pursuant to subsection (d) of this Section. All hearings shall be open to the public.
- c) The sequence to be followed for all hearings before the Property Tax Appeal Board shall be as follows:
 - 1) Preliminary matters - motions or objections, or attempts to narrow issues or limit evidence shall be heard first;
 - 2) Opening statements - the contesting party shall proceed first, followed by the Board Board of review Review and intervenors intervenor, if any; opening statements may be waived or may be reserved and presented prior to the commencement of a party's case in chief;
 - 3) Case in chief - the evidence and witnesses presented to prove the position of the contesting party shall be heard first, followed by those of the board Board of review Review and intervenor, if any; as witnesses complete their testimony, they are subject to cross-examination by the Hearing Officer and the other parties to the appeal; witnesses may be questioned under redirect examination where necessary;
 - 4) Rebuttal - the evidence and witnesses presented to rebut the evidence offered in opposition to the contesting party's position shall be heard after the completion of the cases in chief of all parties, followed by the rebuttal evidence and witnesses of the board Board of review Review and intervenor, if

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENTS

- any;
- 5) Closing statements - the closing argument of the contesting party shall be heard first, followed by the closing arguments of the board Board of Review and Intervenor Intervenor, if any; the contesting party shall be permitted a brief rebuttal at the end of the closing arguments of the other parties.
 - d) Continuances of appeals set for hearing shall be granted pursuant to Section 1910.67(j) of this Part; a hearing which has commenced may be continued by order of the Hearing Officer to permit further testimony or argument only if the time allotted for the hearing has expired.
 - e) All witnesses appearing before the Property Tax Appeal Board shall testify under oath or affirmation.
 - f) Any party may object to the admissibility of evidence or testimony, and such objections must clearly state the specific ground or rule of law which is the basis for the objection.
 - 1) When an objection is made to the admissibility of evidence prior to the hearing of the appeal, the objection must be made in writing. A copy of the objection shall be transmitted to all other parties to the appeal, and the Property Tax Appeal Board shall solicit responses thereto from all other parties. The Board shall issue its ruling on such objection in writing prior to the hearing of the appeal.
 - 2) When an objection is made to the admissibility of evidence or testimony during the hearing, the Hearing Officer may either sustain or overrule the objection if it is based on the provisions of this Part, or may reserve the ruling and permit the testimony and/or evidence into the record subject to the ruling of the Property Tax Appeal Board on the objection in its decision for the appeal.
 - 3) Any party offering evidence which is ruled inadmissible shall be permitted to make an a-brief offer of proof in-writing upon motion made at the hearing.
 - g) The Property Tax Appeal Board or its designated Hearing Officer may exclude inadmissible evidence upon its own motion.
 - h) Writings, documents and all copies thereof submitted to the Property Tax Appeal Board shall be legible, and exhibits shall be plainly marked and identified. All exhibits and documentation discussed during the hearing shall be marked for identification by the Hearing Officer.
 - i) The Property Tax Appeal Board may take official notice of decisions it has rendered, matters within its specialized knowledge and expertise, and all matters of which the Circuit Courts of this State may take judicial notice.
 - j) Any party or his witness may be called by any other party as an adverse witness and examined as if under cross-examination in the same manner and under the same circumstances as provided in Section 2-1102 of the Code of Civil Procedure [735 ILCS 5/2-1102]. Upon a showing that a witness was called in good faith and that the party calling him is surprised by his testimony, examination of the witness may proceed

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENTS

- as if under cross-examination, and the testimony of the witness may be impeached by prior statements or otherwise.
- k) The Hearing Officer presiding over or scheduled to preside over a Property Tax Appeal Board hearing may be disqualified from the hearing as follows:
 - 1) Any interested party may move for the disqualification of a Hearing Officer based on bias or a conflict of interest. The motion must be in writing and must state specific facts establishing that bias or a conflict of interest exists. Adverse rulings in pending or prior appeals shall not be sufficient to establish bias or a conflict of interest.
 - 2) A motion for disqualification shall be made promptly after the moving party learns the identity of the Hearing Officer or after learning facts that establish grounds for disqualification. The motion shall be presented to the Chairman of the Board or the Executive Director. If bias or a conflict of interest is found to exist, another Hearing Officer shall be appointed as soon as possible.
 - 3) The Hearing Officer may at any time voluntarily disqualify himself or herself.
 - l) It is the policy of the Property Tax Appeal Board that the parties to an appeal should to the fullest extent possible stipulate all matters which are not or fairly should not be in dispute. Prior to the hearing, during a prehearing conference or during the hearing of any appeal, the parties may file a stipulation setting forth all pertinent facts that are not in dispute, a list of all exhibits to which there are no objections, and any other matters that are not in dispute.
 - m) Decisions of the Property Tax Appeal Board shall dispose of contested matters upon the merits and shall set forth the Board's findings of fact and conclusions of law, and shall be served by mail on the persons and parties affected thereby as provided in Section 16-185 of the Property-Tax Code. Decisions of the Board shall be based on the evidence contained in the administrative record.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC AID
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Child Support Enforcement
- 2) Code Citation: 89 Ill. Adm. Code 160
- 3) Section Numbers: Proposed Action:
 160.5 Amendment
 160.60 Amendment
 160.75 Amendment
 160.95 New Section
 160.100 Amendment
 160.110 Amendment
 160.120 Amendment
 160.130 Amendment
 160.132 Amendment
 160.134 Amendment
 160.136 Amendment
- 6) Will these proposed amendments replace emergency amendments currently in effect? Yes \$1.9 million.
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes
- | | | |
|------------------------|------------------------|---|
| <u>Section Numbers</u> | <u>Proposed Action</u> | <u>Illinois Register Citation</u> |
| 160.30 | Amendment | December 4, 1998 (22 Ill. Reg. 20755) |
| 160.62 | Repeal | December 4, 1998 (22 Ill. Reg. 20755) |
| 160.70 | Amendment | September 17, 1999 (23 Ill. Reg. 11407) |

- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.
- 11) Time, Place, and Manner in Which Interested Persons May Comment on this Proposed Rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Joanne Jones
 Office of the General Counsel - Rules
 Illinois Department of Public Aid
 201 South Grand Avenue East, Third Floor
 Springfield, Illinois 62763-0002.

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

These proposed amendments may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the

DEPARTMENT OF PUBLIC AID
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Child Support Enforcement
- 2) Code Citation: 89 Ill. Adm. Code 160
- 3) Section Numbers: Proposed Action:
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 160.75 Amendment
 160.95 New Section
 160.100 Amendment
 160.110 Amendment
 160.120 Amendment
 160.130 Amendment
 160.132 Amendment
 160.134 Amendment
 160.136 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13], Public Law 104-193 and Public Act 91-0212

- 5) Complete Description of the Subjects and Issues Involved: This proposed rulemaking concerning child support enforcement amends provisions on the establishment of support obligations, income withholding and distribution of support collections, and adds a new Section providing for the State Disbursement Unit (SDU). These proposed changes require entry of support orders providing for payment of support to the SDU, service of income withholding notices within two business days after entry of the support order or location of the payor of income, and distribution of support collections within two business days after receipt by the SDU. These changes are necessary to comply with the Title IV-D State Plan that requires states to establish an SDU, by October 1, 1999, to collect and disburse support payments in IV-D cases, and in non-IV-D cases with support orders entered after January 1994, under which support is paid by income withholding. Illinois' SDU is being established under the authority of Public Act 91-0212. These proposed amendments also respond to federal requirements under Public Law 104-193 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996).

The anticipated fiscal year 2000 expenditure increases resulting from these proposed amendments are as follows:

For establishing the State Disbursement Unit and first year operating costs, the impact is expected to be approximately \$7.5 million for fiscal year 2000.

The impact of distributing support collections within two business days after receipt by the State Disbursement Unit, instead of the current four to six day turnaround, is expected to be approximately

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Department.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Payor's of income to child support payment obligors will be affected by this rulemaking, including a wide range of businesses, municipalities and corporations. The Department cannot determine which specific entities will be affected.

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the two most recent agendas because: This rulemaking was inadvertently omitted when the most recent regulatory agenda was published.

The full text of the proposed amendments is identical to the text of the emergency amendments which appears in this issue of the *Illinois Register* on page **12740**

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Hospital Services2) Code Citation: 89 Ill. Adm. Code 148

3) Section Numbers: Proposed Action:
 148.295 Amendment
 148.296 Amendment
 148.298 Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13], Public Act 91-0020 and Public Act 91-0024

5) A Complete Description of the Subjects and Issues Involved: The proposed amendments to the Department's administrative rules concerning hospital services address the payment methodology for Critical Hospital Access Payments (CHAP) by sunsetting the Direct Hospital Adjustment (DHA) components of the CHAP program and the Supplemental CHAP program (SCHAP). Both the DHA component and SCHAP will be replaced with a new DHA payment that will be effective October 1, 1999. The intent of these proposed changes is to direct additional funding to hospitals that are providing a high volume of medical care, especially high volume general and obstetrical care, to Medicaid eligible and uninsured populations, and thereby improve access to essential medical services. These proposed changes will assist in offsetting the costs of hospitals' uncompensated care, insuring that the State's neediest individuals continue to have access to quality health care services.

The proposed amendments provide similar changes to the payment methodology for children's hospitals under Pediatric Inpatient Adjustment Payment by creating a new quarterly payment methodology. The new adjustment payment program will also be effective October 1, 1999. The purpose of these amendments is to insure that children with intense or chronic health problems continue to have ready access to appropriate health care.

These proposed amendments affecting hospital services will result in an additional expenditure of approximately \$294.5 million for fiscal year 2000.

6) Will these proposed amendments replace emergency amendments currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

148.120 Amendments July 16, 1999 (23 Ill. Reg. 8586)
 148.140 Amendments July 2, 1999 (23 Ill. Reg. 7475)
 148.140 Amendments July 16, 1999 (23 Ill. Reg. 7840)

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Joanne Jones
 Office of the General Counsel - Rules
 Illinois Department of Public Aid
 201 South Grand Avenue East
 Third Floor
 Springfield, Illinois 62763-0002

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedures Act [5 ILCS 100/5-40].

Any interested persons may review these proposed amendments at the Illinois Department of Human Services' local offices located in each county (except Cook County). In Cook County, the amendments may be reviewed at the Office of the Director, Illinois Department of Public Aid, and the Office of the Secretary, Illinois Department of Human Services, both located at 401 South Clinton, Seventh Floor, Chicago, Illinois. The amendments may be revised at all offices Monday through Friday from 8:30 A.M. until 5:00 P.M. These copies of the amendments are being made available in accordance with federal requirements at 42 CFR 447.205.

These proposed amendments may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedures Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedures Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

12) Initial Regulatory Flexibility Analysis:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

A) Types of small businesses, small municipalities and not for profit corporations affected: Hospitals will be affected by this rulemaking. The Department is unsure whether or not any of the affected entities may qualify as small business.

B) Reporting, bookkeeping or other procedures required for compliance:
 None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 1999

The full text of the proposed amendments is identical to the text of the emergency amendments which appears in this issue of the Illinois Register on page 12577.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Hospital Licensing Requirements
- 2) Code Citation: 77 Ill. Adm. Code 250
- 3) Section Numbers: Proposed Action: Amendment 250.720
- 4) Statutory Authority: Hospital Licensing Act [210 ILCS 85]

5) A Complete Description of the Subjects and Issues Involved: Part 250 regulates the licensure of hospitals in Illinois. The requirements governing emergency services are being revised to expand the types of policies and procedures that hospitals must establish concerning the acceptance and care of emergency patients. Hospitals will be required to establish policies for rendering emergency service to individuals who are in the hospital's emergency department, individuals who are in the hospital but are away from the emergency department, and individuals who are within proximity to the hospital.

The economic effect of this proposed rulemaking is unknown. Therefore, the Department requests any information that would assist in calculating this effect.

The Department anticipates adoption of this rulemaking approximately six to nine months after publication of the notice in the *Illinois Register*.

- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
250.150	Amendments	23 Ill. Reg. 6762
250.1075	New Section	23 Ill. Reg. 6762
250.1220	Amendments	23 Ill. Reg. 6762
250.1240	Amendments	23 Ill. Reg. 6762
250.1250	Amendments	23 Ill. Reg. 6762
250.1260	Amendments	23 Ill. Reg. 6762
260.1280	Amendments	23 Ill. Reg. 6762
260.1290	Amendments	23 Ill. Reg. 6762
260.1320	Amendments	23 Ill. Reg. 6762
260.2140	Amendments	23 Ill. Reg. 6762
260.2470	Amendments	23 Ill. Reg. 6762

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENT

- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State Mandate.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking by writing, within 45 days after this issue of the *Illinois Register*, to:

Paul Thompson
Division of Legal Services
Illinois Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761
217/782-2043
rules@idph.state.il.us

This rulemaking may have an impact on small businesses. In accordance with Sections 1-75 and 5-30 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Paul Thompson at the above address.

Any small business (as defined in Section 1-75 of the Illinois Administrative Procedure Act) commenting on this rulemaking shall indicate their status as such, in writing, in their comments.

- 12) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: Small municipalities and not-for-profit corporations that own and/or operate hospitals
 - B) Reporting, bookkeeping or other procedures required for compliance: Medical records procedures
 - C) Types of professional skills necessary for compliance: Hospital administration

- 13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because the need for the rulemaking was not identified at the time that the Regulatory Agendas were prepared.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENT

TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER b: HOSPITALS AND AMBULATORY CARE FACILITIES

PART 250

HOSPITAL LICENSING REQUIREMENTS

SUBPART A: GENERAL

Section	
250.110	Application for and Issuance of Permit to Establish a Hospital
250.120	Application for and Issuance of a License to Operate a Hospital
250.130	Administration by the Department
250.140	Hearings
250.150	Definitions
250.160	Incorporated and Referenced Materials

SUBPART B: ADMINISTRATION AND PLANNING

Section	
250.210	The Governing Board
250.220	Accounting
250.230	Planning
250.240	Admission and Discharge
250.250	Visiting Rules
250.260	Patients' Rights
250.265	Language Assistance Services
250.270	Manuals of Procedure
250.280	Agreement with Designated Organ Procurement Agencies

SUBPART C: THE MEDICAL STAFF

Section	
250.310	Organization
250.315	House Staff Members
250.320	Admission and Supervision of Patients
250.330	Orders for Medications and Treatments
250.340	Availability for Emergencies

SUBPART D: PERSONNEL SERVICE

Section	
250.410	Organization
250.420	Personnel Records
250.430	Duty Assignments
250.435	Health Care Worker Background Check
250.440	Education Programs
250.450	Personnel Health Requirements

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENT

Benefits

250.460

SUBPART E: LABORATORY

Section	
250.510	Laboratory Services
250.520	Blood and Blood Components
250.525	Designated Blood Donor Program
250.530	Proficiency Survey Program (Repealed)
250.540	Laboratory Personnel (Repealed)
250.550	Western Blot Assay Testing Procedures (Repealed)

SUBPART F: RADIOLOGICAL SERVICES

Section	
250.610	General Diagnostic Procedures and Treatments
250.620	Radioactive Isotopes
250.630	General Policies and Procedures Manual

SUBPART G: GENERAL HOSPITAL EMERGENCY SERVICE

Section	
250.710	Classification of Emergency Services
250.720	General Requirements
250.725	Notification of Emergency Personnel
250.730	Community or Area-wide Planning
250.740	Disaster and Mass Casualty Program
250.750	Emergency Services for Sexual Assault Victims

SUBPART H: RESTORATIVE AND REHABILITATION SERVICES

Section	
250.810	Applicability of Other Parts of These Requirements
250.820	General
250.830	Classifications of Restorative and Rehabilitation Services
250.840	General Requirements for all Classifications
250.850	Specific Requirements for Comprehensive Physical Rehabilitation Services
250.860	Medical Direction
250.870	Nursing Care
250.880	Additional Allied Health Services

SUBPART I: NURSING SERVICE AND ADMINISTRATION

Section	
250.910	Nursing Services
250.920	Organizational Plan
250.930	Role in hospital planning

DEPARTMENT OF PUBLIC HEALTH

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TABLE G Insulation/Building Perimeter

AUTHORITY: Implementing and authorized by the Hospital Licensing Act [210 ILCS 85].

SOURCE: Rules repealed and new rules adopted August 27, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of

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150 days; amended at 2 Ill. Reg. 21, p. 49, effective May 16, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 45, p. 85, effective November 6, 1978; amended at 3 Ill. Reg. 17, p. 88, effective April 22, 1979; amended at 4 Ill. Reg. 22, p. 233, effective May 20, 1980; amended at 4 Ill. Reg. 25, p. 138, effective June 6, 1980; amended at 5 Ill. Reg. 507, effective December 29, 1980; amended at 6 Ill. Reg. 575, effective December 30, 1981; amended at 6 Ill. Reg. 1655, effective January 27, 1982; amended at 6 Ill. Reg. 3296, effective March 15, 1982; amended at 6 Ill. Reg. 7835 and 7838, effective June 17, 1982; amended at 7 Ill. Reg. 962, effective January 6, 1983; amended at 7 Ill. Reg. 5218 and 5221, effective April 4, 1983 and April 5, 1983; amended at 7 Ill. Reg. 6964, effective May 17, 1983; amended at 7 Ill. Reg. 8546, effective July 12, 1983; amended at 7 Ill. Reg. 9610, effective August 2, 1983; codified at 8 Ill. Reg. 19752; amended at 8 Ill. Reg. 24148, effective November 29, 1984; amended at 9 Ill. Reg. 4802, effective April 1, 1985; amended at 10 Ill. Reg. 11931, effective September 1, 1986; amended at 11 Ill. Reg. 10283, effective July 1, 1987; amended at 11 Ill. Reg. 10642, effective July 1, 1987; amended at 12 Ill. Reg. 15080, effective October 1, 1988; amended at 12 Ill. Reg. 16760, effective October 1, 1988; amended at 13 Ill. Reg. 13232, effective September 1, 1989; amended at 14 Ill. Reg. 2342, effective February 15, 1990; amended at 14 Ill. Reg. 13824, effective September 1, 1990; amended at 15 Ill. Reg. 5328, effective May 1, 1991; amended at 15 Ill. Reg. 13811, effective October 1, 1991; amended at 17 Ill. Reg. 1614, effective January 25, 1993; amended at 17 Ill. Reg. 17225, effective October 1, 1993; amended at 18 Ill. Reg. 11945, effective July 22, 1994; amended at 18 Ill. Reg. 15390, effective October 10, 1994; amended at 19 Ill. Reg. 13355, effective September 15, 1995; emergency amendment at 20 Ill. Reg. 474, effective January 1, 1996, for a maximum of 150 days; emergency expired on May 29, 1996; amended at 20 Ill. Reg. 3234, effective February 15, 1996; amended at 20 Ill. Reg. 10009, effective July 15, 1996; amended at 22 Ill. Reg. 3932, effective February 13, 1998; amended at 22 Ill. Reg. 9342, effective May 20, 1998; amended at 23 Ill. Reg. 1007, effective January 15, 1999; emergency amendment at 23 Ill. Reg. 3508, effective March 4, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 9513, effective August 1, 1999; amended at 24 Ill. Reg. _____, effective _____.

SUBPART G: GENERAL HOSPITAL EMERGENCY SERVICE

Section 250.720 General Requirements

- a) Each hospital shall provide adequate facilities for the provision of immediate life saving measures.
- b) Policies and procedures governing the acceptance and care of emergency patients shall be established. These shall be in accordance with the category of emergency services established in the hospital. Specific policies shall be adopted and implemented in regard to rendering emergency care in the hospital's emergency department, in the hospital but away from the emergency department, and within proximity to the

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- c) An appropriate record shall be maintained on each patient who presents himself or herself for emergency services.
- d) Appropriate supplies and equipment shall be available and in readiness for use.
- e) This Section ~~these~~ regulations shall not be construed to affect hospital-patient arrangements regarding payment for care.

(Source: Amended at 24 Ill. Reg. _____, effective _____.)

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TITLE 92: TRANSPORTATION
 CHAPTER I: DEPARTMENT OF TRANSPORTATION
 SUBCHAPTER I: WATER RESOURCES

PART 740

PORT DISTRICT DEVELOPMENT PROGRAM (REPEALED)

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 740.106

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 Definitions
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SUBPART B: GRANT PROGRAM CATEGORIES

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 740.202
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Administrative Expenses
 Technical Studies Expenses
 Category Priorities

SUBPART C: APPLICATION REQUIREMENTS

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 740.301
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 Use of Grant Funds; Limitations of Grant Funds
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SUBPART D: GRANT AWARD

Section
 740.401
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 740.404

Maximum Grant Amounts; Local Match
 Notice of Grant Award
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SUBPART E: GRANT ADMINISTRATION

Section
 740.501
 740.502
 740.503
 740.504
 740.505

Payment of Grant Funds
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740.506 Accounting Procedures
 740.507 Audit Report
 740.508 Grant Termination
 740.509 Return of Grant Funds
 740.510 Closing Out the Grant

AUTHORITY: Implementing and authorized by Section 49.06b of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1981, ch. 127, par. 49.06b).

SOURCE: Adopted at 4 Ill. Reg. 32, p. 117, effective July 25, 1980; codified at 7 Ill. Reg. 9687; repealed at 24 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 740.101 Statutory Authority

This Rule is adopted and issued pursuant to the authority of the Illinois Department of Transportation provided in Ill. Rev. Stat. 1981, ch. 127, par. 49.06b.

Section 740.102 Title

This Rule shall be known as and may be cited as the "Port District Development Grant Program Rule".

Section 740.103 Applicability and Purpose

This Rule establishes the procedures for the administration of the Port District Development Grant Program. The purpose of the grant program is to assist port districts to become self supporting units so that the costs associated with water port activities do not exceed the annual revenues from water port operations. Grants are provided to port districts to help fund administrative expenses and technical studies for the purpose of attracting port users to publicly financed ports.

Section 740.104 Grant Program Eligibility

To apply for grant under the Port District Development Grant Program, a port district must be located adjacent to or have located within its borders a navigable waterway maintained by the U.S. Army Corps of Engineers for commercial navigation. The port district must also demonstrate a projected operating deficit for the fiscal year to which its grant application applies. An eligible port district may submit an application for grant funds for expenses for administration and technical studies not funded by other sources in an amount not to exceed its operating deficit for such fiscal year.

Section 740.105 Definitions

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For purposes of this part:

"Department" means the Illinois Department of Transportation, Division of Water Resources.

"Fiscal year" means the fiscal year of the State of Illinois from July 1 to the next succeeding June 30.

"Grant" means the funds awarded by the Department to any port district pursuant to this Part.

"Navigable waterway" means a body of water that has a navigation channel maintained by the U.S. corps of Engineers for the purpose of waterborne commerce.

"Operating deficit" means the amount by which operating expenses exceed revenue from any federal financial assistance or any other source received by a port district to defray operating expenses (as defined herein) and any other revenue collected and received by a port district which, under standard accounting practices, is properly classified as operating revenue or operating income attributable to conducting port operations, but excluding revenue received from the State of Illinois Port District Development Grant Program.

"Operating expenses" means expenses required for port district operation including expenses for administration and technical studies, materials, rental of facilities, payment made for debt service on port district-owned equipment or facilities, and any other expenditure which is an operating expense according to standard accounting practices for port operation.

"Port" means an area located on Lake Michigan or a navigable river which encompasses a facility or a concentration of facilities for the transfer, handling and storage of commodities shipped by water.

"Port district" means any corporate body formed by the General Assembly and authorized to engage in the planning, development and administration of water port facilities.

Section 740.106 Contact with Department

Grant applications, reports and all correspondence concerning the Port District Development Grant Program should be submitted to:

Chief
Ports Management Section
Illinois Department of Transportation
300 North State Street, Room 1010
Chicago, Illinois 60610

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SUBPART B: GRANT PROGRAM CATEGORIES

Section 740.201 Administrative Expenses

Expenses incurred by a port district in connection with the administration of port activities are eligible for funding under the Port District Development Grant Program. Administrative expenses include staff salaries, office rent, utilities, supplies and materials, telephone, postage and expenses for such other similar purposes as the Department determines to be consistent with funding of administrative expenses.

Section 740.202 Technical Studies Expenses

a) Expenses incurred by a port district for technical studies for port development purposes are eligible for funding under the grant program. There are two categories of technical studies:

- 1) short-range master planning studies for the port district;
 - 2) site design and engineering studies for specific port facilities.
- b) In order to incur expenses for site design and engineering studies a master plan study must first be completed.

Section 740.203 Category Priorities

Applicants may apply for grant funds for either or both grant program category. The Department will give priority to applications for grants for administrative expenses over those for technical studies.

SUBPART C: APPLICATION REQUIREMENTS

Section 740.301 Schedule for Filing Applications

All port districts will be sent a grant program application by the Department by March 31 of the year immediately preceding the fiscal year for which grant funds are being applied. Applications must be completed and returned to the Department by May 31 of such year.

Section 740.302 Grant Application

Each port district submitting an application (on the forms provided by the Department) is required to describe its current fiscal year programs, revenues and expenditures; to describe its projected programs, revenues and expenditures for the next fiscal year; and to furnish an audit report for the previous fiscal year.

Section 740.303 Use of Grant Funds; Limitations of Grant Funds

Applications may be made for grants to fund administrative or technical studies expenses incurred by a port district during the entire fiscal year, including

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those eligible expenses incurred prior to the execution of the grant contract with the Department; however funding of eligible expenses is subject to the amount of funds appropriated by the General Assembly for the Port District Development Grant Program and to the final approval by the Department of the application.

Section 740.304 Evaluation of Grant Application

In determining the amount of any grant to a port district, the Department will consider the following factors:

- a) Application for Grant for Administrative Expenses
 - 1) Eligibility of proposed administrative expenses as provided in Section 740.201 herein.
 - 2) Amount of financial assistance applied for or received from other public agencies or units of government.
 - 3) Nature and extent of activities conducted by the port district to attract port users and encourage port use, including:
 - A) Amount of contact with private companies and other potential port users concerning new or expanded use of port facilities or industrial port sites;
 - B) Level of coordination with existing port operators in working out navigational and other problems relating to existing ports, in dealing with other public agencies concerning port activities, and in development of plans for future development.
 - 4) Adequacy of plans developed by the port district in setting guidelines to achieve self-sufficiency.
 - 5) Level of need for proposed administrative expenses for assisting the port district to become a self-supporting unit.
 - 6) Reasonableness of the relationship between the proposed administrative expenses and the benefits to be gained therefrom, including consideration of:
 - A) The comparison of the port district's projected costs for proposed administrative expenses with the actual costs of administration in comparable port districts;
 - B) The comparison of the proposed administrative expenses with the administrative expenses incurred for the previous fiscal year so as to determine the cause of any rapid escalation in cost.
 - 7) Amount of funds appropriated by the General Assembly for use by the Department in making grants to port districts.
- b) Application for Grant for Technical Studies
 - 1) Eligibility of proposed technical studies expenses as provided in Section 740.202 herein.
 - 2) Adequacy of proposal for a master plan study identifying specific local development issues requiring study prior to further port development or expansion. A copy of the completed master plan study must be submitted to the Department. Approval of the study

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by the Department will be based upon the presentation of study elements including, but not limited to, analyses of economic conditions in the area, commodity movements at existing port facilities, the need for expanded or new port facilities and commodities to be handled, potential port sites in the area and sources of funding for public port development.

- 3) Consistency of proposals for site design or engineering studies with the findings of a master plan study of port development approved by the Department.
- 4) Level of need for a proposed technical study for the development of the port district and for attracting port users.
- 5) Reasonableness of the relationship between the proposed technical study expenses and the benefits to be gained therefrom.
- 6) Amount of funds appropriated by the General Assembly for use by the Department in making grants to port districts.

SUBPART D: GRANT AWARD

Section 740.401 Maximum Grant Amounts; Local Match

Based on its evaluation of grant applications as provided in Section 740.304 herein, the Department may make a grant to any eligible port district for an amount up to 100 percent of eligible administrative and technical studies expenses not funded by other sources, but in no case shall the amount of a grant exceed a port district's operating deficit. Port districts receiving grants shall not be required to provide matching funds; however, port districts are encouraged to apply for funds from other State of Illinois, federal and local sources.

Section 740.402 Notice of Grant Award

- a) The Department will provide written notification to applicants of grant approval or disapproval within 30 days after funds for the Port District Development Grant Program are appropriated by the Illinois General Assembly and approved by the Governor. The Department will either:
 - 1) Approve an application in whole or in part, or
 - 2) disapprove the application.
- b) Written reasons for disapproval of a grant application (or parts thereof) will be provided to the applicant. The grant approval letter from the Department will specify the grant amount, the purpose(s) for which grant funds may be expended and other specific conditions required in connection with the grant award.

Section 740.403 Acceptance of Grant Award

Upon receipt of the grant approval letter, the Board of the port district shall adopt a resolution that authorizes the port district to accept the grant and

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administer the grant funds according to Department requirements. This resolution must be adopted and submitted to the Department before a grant contract is executed between the Department and the port district.

Section 740.404 Grant Contract

Prior to the release of the grant funds from the Department, a grant contract shall be executed by the Department and the port district. The grant contract shall set forth the amount of the grant, the purpose(s) for which grant funds may be expended, the amount allocated for each purpose and other relevant terms and conditions required in connection with the grant.

SUBPART E: GRANT ADMINISTRATION

Section 740.501 Payment of Grant Funds

Payment of grant funds will be made to grantee port districts by the Department semi-annually, except where the Department determines it is more practical to make a single annual payment. The first disbursement will be made after the grant contract has been executed and a State Invoice Voucher has been submitted to the Department. The second disbursement will be made no earlier than January 1st upon receipt by the Department of a State Invoice Voucher and of financial and progress reports as provided in Sections 740.502 and 740.503 herein.

Section 740.502 Financial Reports

Financial reports shall be submitted semi-annually to the Department (on forms provided by the Department). The first financial report shall be submitted by January 15th of the fiscal year for which a grant has been made. The second financial report shall be submitted within 30 days after the end of such fiscal year. The reports shall be reviewed by the Department to determine if funds have been expended according to the grant contract. The second report will also be reviewed to determine if any funds that have not been expended or that have been expended improperly should be returned to the Department as provided in Section 740.509 herein.

Section 740.503 Progress Reports

Progress reports shall be submitted to the Department (on forms provided by the Department) at the same time financial reports are submitted pursuant to Section 740.502 herein. The progress reports shall describe the activities of the port district for the 6 month period and also describe the current status of fiscal year administrative and technical studies activities funded by the grant. The second progress report submitted within 30 days after the end of the fiscal year will also serve as a completion report and will be reviewed by the Department for compliance with terms and conditions of the grant contract.

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Section 740.504 Technical Studies Reports

Prior to the completion of any technical study funded by a grant hereunder, a draft technical study report shall be submitted to the Department for review and comment. Within 15 days after receipt of a draft technical report, the Department will provide written comments to the port district. These comments shall be addressed in the final technical study report. A final technical study report shall be submitted to the Department no later than 30 days after completion of the technical study.

Section 740.505 Grant Supplement

a) If a port district makes a determination that the amount of grant funds are not sufficient to meet eligible administrative or technical studies expenses, the port district may request a grant supplement. The port district must submit the request in writing to the Department describing:

- 1) the reasons for the inability to meet expenses with the amount of the grant originally awarded;
 - 2) the amount of supplemental funds necessary to meet the additional expenses.
- b) Based upon the merits of the request for a grant supplement and the availability of funds appropriated for the Port District Development Grant Program, the Department will notify the port district in writing within 15 days of the approval or disapproval of the request for a supplemental grant. All requirements provided in this Rule are applicable to awards of supplemental grants.

Section 740.506 Accounting Procedures

The port district shall establish separate accounts for the funds received and disbursed under the Port District Development Grant Program. The accounting system used by the port district must be based on generally accepted accounting principles and must provide the port district with the capability to prepare financial reports that clearly identify disbursements of grant program funds by purpose and amount.

Section 740.507 Audit Report

The port district shall have an audit prepared by an independent certified public accountant at the conclusion of each fiscal year, a copy of which shall be furnished to the Department no later than 90 days following the close of the fiscal year for which the grant was approved.

Section 740.508 Grant Termination

If the port district fails to comply with the provisions of the grant contract or the requirements of this Rule, the Department may terminate the grant.

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Specific grounds for termination of a grant include, but are not limited to, the failure of the port district to maintain an accounting system for grant funds, failure to submit financial reports and progress reports and expenditures of grant funds for purposes other than those set forth in the grant contract. Upon termination, the Department shall require that funds improperly used and funds not yet expended be returned to the Department. The Department will provide written notification to the port district indicating an intent to terminate the grant and citing reasons for termination. The port district may submit a written appeal to the Department within 15 days of notification of termination. The Department will within 15 days of receipt of the port district's appeal respond in writing to the port district with a final decision regarding termination of the grant.

Section 740.509 Return of Grant Funds

Grant funds shall be returned to the Department under the following conditions:

- a) Termination of the grant as provided under Section 740.508 of this Rule;
- b) Closing out of the grant without expending the entire grant amount.

Section 740.510 Closing Out the Grant

Within 30 days of receipt of a second financial report, second progress report and final technical study report under Sections 740.502, 740.503, and 740.504 herein, the Department shall determine whether the terms and conditions of the grant have been successfully completed or whether additional information will be required before the grant can be closed out. If additional information is needed the Department will notify the port district in writing. Upon making a determination that the port district has complied with the provisions of the contract and this Rule, the Department will issue to the port district a grant close-out letter.

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- 1) Heading of the Part: Water Resources Contracts and Purchases
- 2) Code Citation: 44 Ill. Adm. Code 695
- 3) Section Numbers: Proposed Action:
695.10 Repeal
695.20 Repeal
695.30 Repeal
- 4) Statutory Authority: Implementing and authorized by the Illinois Purchasing Act, Repealed [formerly 30 ILCS 505]
- 5) A Complete Description of the Subjects and Issues Involved: This Part, promulgated in the early 1970's, was used to govern procurements made for the Division of Water Resources (DWR) when that Division existed within the Department of Transportation. The DWR currently exists within the Department of Natural Resources, therefore, this Part is being repealed.
- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed repealer contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This repealer will not impact units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rulemaking. Written submissions shall be filed with:

Ms. Christine Caronna-Beard, Rules Manager
Illinois Department of Transportation
2300 S. Dirksen Parkway
Room 311
Springfield, Illinois 62764
(217) 782-3215
- 12) Initial Regulatory Flexibility Analysis:

Comments received within forty-five days after the date of publication of this *Illinois Register* will be considered. Comments received after that time will be considered, time permitting.

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- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: the Department did not anticipate repealing the Part at that time.

The full text of the Proposed Repealer begins on the next page:

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NOTICE OF PROPOSED REPEALER

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND PROPERTY MANAGEMENT
SUBTITLE B: SUPPLEMENTAL PROCUREMENT RULES
CHAPTER IX: DEPARTMENT OF TRANSPORTATION

PART 695

WATER RESOURCES CONTRACTS AND PURCHASES (REPEALED)

Section
695.10 Operation
695.20 Buildings
695.30 Awarding of Contracts and Contract Construction

AUTHORITY: Implementing and authorized by The Illinois Purchasing Act (Ill. Rev. Stat. 1983, ch. 127, pars. 132.1 et seq.).

SOURCE: Amended March 14, 1975; codified at 8 Ill. Reg. 13879; repealed at 24 Ill. Reg. _____, effective _____.

Section 695.10 Operation

- a) All materials, supplies, equipment and services needed for the operation of the Division of Water Resources shall be requested by requisition to the Department of Central Management Services and all purchases shall be handled by the Manager, Procurement Services Division in accordance with their rules.
- b) Copies of all purchase orders for authorizations issued by the Manager, Procurement Services Division are furnished the Division of Water Resources against the related requisitions which have been submitted to the Department of Central Management Services.
- c) Upon receipt of goods or the completion of services rendered, the invoice submitted by the vendor shall be approved and vouchered chargeable to the purchase order or authorization on file in the Division of Water Resources.

Section 695.20 Buildings

- a) All contracts for remodeling or renovation of buildings under the supervision of the Division of Water Resources and the construction of new buildings shall be handled by the Capital Development Board in accordance with prescribed rules.
- b) Payments to contractors on contracts let by the Capital Development Board will be made only on certificates of amounts due the contractor issued by the Capital Development Board.

Section 695.30 Awarding of Contracts and Contract Construction

- a) The Division of Water Resources shall obtain survey findings and

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED REPEALER

prepare working drawings, plans and specifications, and all other matters pertaining to project requirements.

b) Upon derivation of estimated costs, request Governor to release funds appropriated for project. Upon approval of the release by the Governor, a copy of the approved release will be forwarded to the Division of Water Resources and to the Office of the Comptroller authorizing the allotment of appropriated funds.

c) Advertise for Bids--Three (3) times in official newspaper designated by the Department of Central Management Services the first and last of each publication at least 10 days apart. Requests may also be made for advertisements to appear in local or surrounding papers in addition to the official newspaper.

1) Advertisements states the date, hour and place of bid opening.

2) Additionally, projects may be announced through the Service Bulletin which is published by the Department of Transportation.

The Service Bulletin describes all projects for which bids will be received and is mailed to all contractors who are prequalified with the Department of Transportation. The Service Bulletin is mailed in sufficient time to arrive at least twenty-one days in advance of prescheduled bid opening dates.

3) Detail plans and specifications are distributed to any interested individuals or firms upon request.

d) Bids shall be publicly opened and read on the day and at the hour and place specified in the advertisement. Any or all bids may be rejected.

e) Bids shall be tabulated and analyzed by the Division of Water Resources.

f) Award is made to the lowest responsible bidder prequalified with the Department of Transportation, taking into consideration conformity with the specifications and the contractor's ability to perform the work in a satisfactory manner. The Division reserves the right to reject any or all bids and to waive technicalities.

g) Issuance of executed formal contract, including performance bond, copy of which is filed with the Office of Comptroller together with other obligation documents.

h) Supervising construction and approving and processing partial and final payment requests of the contractors during course of construction.

i) Recommend payment for extras and additions to contracts where such are essential to satisfactory completion of contract.

j) Final inspection is made and upon acceptance of contract by the State, recommendation is made for processing final payment after obtaining material affidavit from contractor, and for release of performance and indemnity bond.

k) All contracts under \$1,500.00 are awarded in accordance with the provisions of the Illinois Purchasing Act and rules promulgated thereunder and in accordance therewith.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

1) Heading of the Part: Pay Plan

2) The Code Citation: 80 Ill. Adm. Code 310

3) Section Numbers: 310.280
Adopted Action:
Amended

4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

5) Effective Date of Amendments: September 24, 1999

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in the Illinois Register: May 21, 1999; 23 Ill. Reg. 5973.

10) Has JCAR issued a Statement of Objections to this amendment? No

11) Difference between proposal and final version? None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect?
No

14) Are there any proposed amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
310.470	Amend	23 Ill. Reg. 5215
310.230	Amend	23 Ill. Reg. 6720
310.110	Amend	23 Ill. Reg. 7820
310.130	Amend	23 Ill. Reg. 7820
310.290	Amend	23 Ill. Reg. 7820
310.530	Amend	23 Ill. Reg. 7820
310.540	Amend	23 Ill. Reg. 7820
310.Appendix B	Amend	23 Ill. Reg. 7820
310.Appendix C	Amend	23 Ill. Reg. 7820
310.Appendix D	Amend	23 Ill. Reg. 7820
310.Appendix G	Amend	23 Ill. Reg. 7820

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 2000 1999
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate
310.300	Educator Schedule for RC-063 and HR-010
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

310.230 Amend 23 Ill. Reg. 11750
310.270 Amend 23 Ill. Reg. 11750
310.Appendix A, Table AA Amend 23 Ill. Reg. 11750

15) Summary and Purpose of Amendment: In Section 310.280, Designated Rate, the following updates reflect changes that were already approved by the Governor:

In the Department of Commerce and Community Affairs, the Economic Development Representative II position's annual salary was changed from \$52,032 to \$54,048, effective September 1, 1998. The Public Information Officer IV position's annual salary was changed from \$56,184 to \$59,184, effective August 1, 1998. The Private Secretary II position's annual salary was changed from \$46,188 to \$48,492, effective December 1, 1998. Also, the Public Service Administrator position's annual salary was changed from \$69,528 to \$74,508, effective November 1, 1998.

In the Department of Human Services, the Public Service Administrator position's annual salary was changed from \$67,428 to \$70,464, effective November 1, 1998. The Medical Administrator, Option D position was abolished from the Designated Rate Section, effective October 16, 1998.

In the Department of State Police, the Senior Public Service Administrator position's annual salary was changed from \$104,156 to \$109,358, effective November 1, 1998.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: Mr. Michael Murphy
Address: Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706
Telephone: (217) 782-5601

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

Section	Jurisdiction
310.410	Objectives
310.420	Responsibilities
310.430	Merit Compensation Salary Schedule
310.440	Procedures for Determining Annual Merit Increases
310.450	Intermittent Merit Increase
310.455	Merit Zone (Repealed)
310.456	Other Pay Increases
310.460	Adjustment
310.470	Decreases in Pay
310.480	Other Pay Provisions
310.490	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase Guidechart for Fiscal Year 2000 1999
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)
APPENDIX A	Negotiated Rates of Pay
TABLE A	HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)
TABLE AA	NR-916 (Department of Natural Resources, Teamsters)
TABLE B	HR-200 (Department of Labor - Chicago, Illinois - SEIU)
TABLE C	RC-069 (Firefighters, AFSCME) (Repealed)
TABLE D	HR-001 (Teamsters Local #726)
TABLE E	RC-020 (Teamsters Local #330)
TABLE F	RC-019 (Teamsters Local #25)
TABLE G	RC-045 (Automotive Mechanics, IPPE)
TABLE H	RC-006 (Corrections Employees, AFSCME)
TABLE I	RC-009 (Institutional Employees, AFSCME)
TABLE J	RC-014 (Clerical Employees, AFSCME)
TABLE K	RC-023 (Registered Nurses, INA)
TABLE L	RC-008 (Boilermakers)
TABLE M	RC-110 (Conservation Police Lodge)
TABLE N	RC-010 (Professional Legal Unit, AFSCME)
TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IPPE)
TABLE Q	RC-033 (Meat Inspectors, IPPE)
TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
TABLE S	HR-012 (Fair Employment Practices Employees, SEIU)
TABLE T	HR-010 (Teachers of Deaf, IFT)
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE V	CU-500 (Corrections, Meet and Confer Employees)
TABLE W	RC-062 (Technical Employees, AFSCME)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 2000 1999
APPENDIX C	Medical Administrator Rates for Fiscal Year 2000 1999
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 2000 1999
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 2000 1999

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854,

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 21858, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160,

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

SUBPART B: SCHEDULE OF RATES

Section 310.280 Designated Rate

The rate of pay for a specific position or class of positions where it is deemed desirable to exclude such from the other requirements of this Pay Plan shall be only as designated by the Governor.

Department of Commerce & Community Affairs

Economic Development Representative II
(Pos. No. 12932-42-35-110-10-02)

Annual Salary
54,048 51,912

Private Secretary II
Pos. No. 34202-42-00-000-01-02)

Annual Salary
48,492 46,188

Public Information Officer IV
(Pos. No. 37004-42-00-005-10-01)

Annual Salary
59,184 56,184

Public Service Administrator
(Pos. No. 37015-42-35-140-20-01)

Annual Salary
74,508 69,528

Department of Insurance

Senior Public Service Administrator
(Pos. No. 40070-14-00-000-00-06)

Annual Salary
100,992

Department of Human Services

Medical Administrator I, Option D
(Pos. No. 26401-10-79-006-00-21)

Annual Salary
142,368

Medical Administrator-~~I~~-Option-B
(Pos. No. 26401-10-81-903-10-22)

Annual Salary
137,258

Public Service Administrator
(Pos. No. 37015-10-23-100-30-01)
(Pos. No. 37015-10-23-200-00-42)

Annual Salary
70,464
67,426

Senior Public Service Administrator
(Pos. No. 40070-10-81-920-00-21)

Annual Salary
105,480

Department of Natural Resources

Administrative Assistant II
(Pos. No. 00502-12-30-000-20-01)

Annual Salary
50,520

Department of State Police

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; peremptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective

SEP 24 1999

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

Senior Public Service Administrator
(Pos. No. 40070-21-10-000-00-01)

Annual Salary
109,358 ~~104,751~~

(Source: Amended at 23 Ill. Reg. 12604, effective SEP 24 1999)

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Illinois Credit Union Act
- 2) Code Citation: 38 Ill. Adm. Code 190
- 3) Section: 190.20
Adopted Action:
Amendment
- 4) Statutory Authority: 205 ILCS 305/8
- 5) Effective Date of Amendments: October 4, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: June 25, 1999 (23 Ill. Reg. 7183)
- 10) Has JCAR issued a Statement of Objections to these amendments? JCAR has issued a certificate of no objection to the proposed rulemaking.
- 11) Differences Between Proposal and Final Version:
Section 190.20
In subsection (f)(3), strike "this" and change "(3)" to "(2)".
In subsection (f)(3), reinstate last sentence of subsection.
In subsection (g)(7), strike "from the Petitioner".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will these amendments replace emergency amendments currently in effect?
No
- 14) Are there any amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Adopted Action</u>	<u>Illinois Register Citation</u>
190.90	Amendment	23 Ill. Reg. 7198

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

15) Summary and Purpose of Amendments: The Department is adopting several amendments to the rules regarding the content of administration hearings pertaining to Credit Unions. The purpose of the amendments is to provide better uniformity in the hearing process among the various divisions of the department, as well as to make the hearing process consistent with the Illinois Administrative Code provisions pertaining to hearings. The overall purpose of the amendments is to provide a uniform, efficient and fair hearing procedure within the Credit Union division and the Department.

16) Information and questions regarding these adopted amendments shall be directed to:

Ms. Elizabeth F. Byrne
Chief Legal Counsel
Dept. of Financial Institutions
James R. Thompson Center
100 W. Randolph, Suite 15-700
Chicago, IL 60601
(312)814-2008

The full text of adopted amendments begins on the next page:

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER 1: DEPARTMENT OF FINANCIAL INSTITUTIONS

PART 190

ILLINOIS CREDIT UNION ACT

Section

190.5	Credit Union Service Organizations
190.10	Field of Membership Procedures
190.20	Hearings
190.30	Cease and Desist Procedures
190.40	Removal or Suspension Procedures
190.50	Fees
190.60	General Accounting Procedures
190.70	Loan Loss Accounting Procedures
190.80	Use of Electronic Data Processing
190.90	Property and Long Term Leases
190.100	Classes of Share and Special Purpose Share Accounts
190.110	Share Drafts
190.120	Bond and Insurance Requirements
190.130	Verification of Share and Loan Accounts
190.140	Real Estate Lending
190.150	Reverse Mortgage
190.160	Lending Limits - Consumer Loans Other-Than-First-Mortgage-Loans
190.165	Business Loans
190.170	Group Purchasing
190.180	Investments
190.190	Liquidation
190.200	Conversion of Charter

AUTHORITY: Implementing and authorized by the Illinois Credit Union Act [205 ILCS 305].

SOURCE: Adopted at 4 Ill. Reg. 20, p. 17, effective May 7, 1980; amended at 6 Ill. Reg. 11154, effective September 7, 1982; amended and codified at 7 Ill. Reg. 14973, effective October 26, 1983; emergency amendment at 9 Ill. Reg. 14378, effective September 11, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 16231, effective October 10, 1985; amended at 10 Ill. Reg. 14667, effective August 27, 1986; amended at 12 Ill. Reg. 10464, effective June 7, 1988; amended at 12 Ill. Reg. 17383, effective October 24, 1988; amended at 13 Ill. Reg. 3793, effective March 10, 1989; amended at 13 Ill. Reg. 15998, effective October 2, 1989; emergency amendment at 16 Ill. Reg. 12781, effective July 29, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17073, effective October 26, 1992; amended at 19 Ill. Reg. 2826, effective February 24, 1995; amended at 20 Ill. Reg. 5803, effective April 8, 1996; emergency amendment at 20 Ill. Reg. 13093, effective September 20, 1996, for a maximum of

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150 days; emergency expired February 17, 1997; amended at 22 Ill. Reg. 17317, effective September 15, 1998; emergency amendment at 23 Ill. Reg. 3086, effective February 23, 1999, for a maximum of 150 days; emergency expired July 22, 1999; amended at 23 Ill. Reg. 12614, effective JUL 04 1999.

Section 190.20 Hearings

a) Upon written request, made within 90 days after any administrative action or regulatory decision made pursuant to the Act, the Director will authorize a formal hearing to review the propriety of administrative actions and regulatory decisions by issuing a notice of hearing made-pursuant-to-the-Act.

b) The notice shall be served personally or by certified or registered mail or as otherwise provided by law upon the parties or their agents appointed to receive service of process and shall include the following:

1) A statement of the time, place, and nature of the hearing.
2) A statement of the legal authority and jurisdiction under which the hearing is to be held.

3) A reference to the particular Sections of the substantive and procedural statutes and rules involved.

4) Except where a more detailed statement is otherwise provided for by law, a short and plain statement of the matters asserted, the consequences of a failure to respond, and the official file or other reference number.

5) The names and mailing addresses of the hearing officer, all parties, and all other persons to whom the agency gives notice of the hearing, unless otherwise confidential by law.

c) An opportunity shall be afforded all parties to be represented by legal counsel and to respond and present evidence and argument.

d) Unless precluded by law, disposition may be made of any contested case by stipulation, agreed settlement, consent order, or default.

e) Hearing Officers.

1) The hearing officer designated by the Director shall be an attorney licensed to practice in Illinois and the-Director-may designate-in-writing-a-hearing-officer-who shall have the authority to:

A) examine or permit examination of any witness under oath;

B) determine the order of appearance of all parties;

C) receive all evidence and testimony and rule on its admissibility as well as require the production of any relevant document or witness;

D) rule on objections to evidence; and

E) make a written report with recommendations to the Director which shall include findings of fact and conclusions of law

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with respect to the claim. Findings of fact shall be based exclusively on the evidence and on matters officially noticed, and

2) Petitioner or Respondent may petition the Director to disqualify the appointed hearing officer for bias or conflict of interest by presenting the Director with convincing and compelling evidence of the hearing officer's bias or conflict of interest. An adverse ruling shall not constitute bias or conflict of interest. require-any-party-or-his-attorney-to-provide-proposed-findings-of-fact-or-conclusion-of-law-for-consideration-in-his-report.

f) General Provisions.

1) When a hearing is scheduled pursuant to this Part Act, the petitioner or his attorney shall be notified by certified or registered mail, return receipt requested, at least ten days prior to the date set for the such hearing. Delivery of notice to the United States Postal Service shall constitute delivery.

2) A continuance shall be granted for good cause by the hearing officer. The continuance Director-or-his-designee-which shall be:

A) in writing, in duplicate and signed by the petitioner or his attorney and shall state the reasons for the request;

B) delivered to the hearing officer Director-or-his-designee at least three days prior to the scheduled hearing.

3) For the purposes of this subsection (f)(2), paragraph good cause shall require the Petitioner to demonstrate real and compelling need for additional time. It shall include but not be limited to illness, service in the armed forces, etc.

4) Failure to attend a hearing shall result in the dismissal of the party's petition and the assessment of the costs for such a hearing upon the party. A person whose petition has been so dismissed shall not resubmit until the assessed costs have been paid, unless-he-successfully-petitions-the-Director-for-reconsideration-by-establishing-that-his-future-to-attend-was occasioned-by-events-beyond-his-control-and-he-exercised-due diligence-to-attend-or-seek-a-continuance.

5) Any party to a proceeding may order a court reporter to transcribe the proceeding. If the petitioner makes the request, he or she shall pay all costs associated with the said transcript. If the court reporter is ordered by the hearing officer, any party may purchase a transcript.

6) The Director shall assess all costs and attorneys' fees against any party who has unreasonably delayed a proceeding or has filed a claim in bad faith. "Unreasonable delay of a proceeding" shall be determined to exist upon a preponderance of evidence indicating that the petitioner is purposely delaying the hearing either actively or through inattention to detail. A determination of "filing a claim in bad faith" requires a

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preponderance of evidence that the hearing petition was filed merely to stay Department action with no intent for expeditious resolution of the contested issue.

g) ~~c~~ Conduct of Hearings.

- 1) The hearing officer shall open the hearing by presenting for the record his or her letter of authorization from the Director. ~~The petitioner--or--his--attorney--shall--then--present--his--case--and--the proof--thereof--The proof--may--include--testimony--or--any--document relevant--to--the--claim--~~
- 2) The 'rules of evidence and privilege as applied in civil cases in the Circuit Courts of this State shall be followed. The hearing officer may admit evidence not admissible under those such rules if such evidence could be relevant to the case. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded. Evidence not admissible under those rules of evidence may be admitted (except where precluded by statute) if it is a type commonly relied upon by reasonably prudent men in the conduct of their affairs. Objections to evidentiary offers may be made and shall be noted in the record. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced, any part of the evidence may be received in written form.
- 3) The hearing officer may on his or her own motion or the motion of one of the parties take notice of matters of which the Circuit Courts of this State may take judicial notice. Notice may be taken of generally recognized technical or scientific facts within the Department's specialized knowledge if parties are notified, before or during the hearing, and if shall-be afforded an opportunity to contest the material so noticed [5 ILCS 100/10-40(c)]. The burden of opposing any material admitted upon notice shall be upon the party so opposing.
- 4) No Department employee or hearing officer shall, after notice of a hearing, communicate with any party or his attorney in connection with any issue in the said hearing except upon notice and opportunity for all parties to participate.
- 5) The record of any hearing shall include:
 - A) all pleadings, and evidence received whether admitted or excluded;
 - B) a statement of all matters officially noticed;
 - C) all offers of proof, objections and rulings thereon;
 - D) all proposed findings and exceptions;
 - E) any decision, opinion, or report by the hearing officer;
 - F) any communication prohibited by this Part rule, although the such communication shall not form the basis for any finding of fact;
 - G) any evidence excluded by the hearing officer, even though

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such evidence is not used in the determination of the claim; H) a proceeding transcript ~~which shall be~~ recorded by any such means that will ~~as-to~~ adequately insure the preservation of the testimony.

6) Within 90 ~~sixty~~ days after ~~of~~ the hearing or the receipt of all necessary documents, the hearing officer shall report to the Director, pursuant to 38 Ill. Adm. Code 190.20.

7) Within 30 ~~thirty~~ days after receiving the report of the hearing officer, the Director shall issue ~~a his~~ decision, which shall be served on claimant and other parties personally or by registered or certified mail, return receipt requested. Copies of the hearing officer's report to the Director are available upon written request ~~from the petitioner~~.

h) ~~d~~ Petition to Reconsider.

1) Within 30 ~~thirty~~ days after receipt of the Director's decision, any party may petition the Director for reconsideration based upon a verified petition. An affidavit shall accompany the petition stating that the decision was against the manifest weight of the evidence, was contrary to law, or was arbitrary or capricious, and is affected by newly discovered evidence not in existence at the time of the initial hearing or which could not have been discovered using due diligence at that time.

2) The Director shall determine within 15 fifteen days whether to reconsider the case. If reconsideration is allowed, a hearing shall be held pursuant to this Part rule and shall be limited to the issues raised by the petition and affidavit. If reconsideration is denied, the Director's initial decision shall be the final administrative decision of the Department.

(Source: Amended at 23 Ill. Reg. 12614, effective 01/04/1999)

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NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Application2) Code Citation: 89 Ill. Adm. Code 5573) Section Numbers: Adopted Action:

557.10	Amended
557.20	Amended
557.30	Amended
557.40	Amended
557.50	Amended
557.60	Amended

4) Statutory Authority: Implementing and authorized by Section 3(a),(b) and (k) of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3 (a),(b) and (k)].5) Effective Date of Rulemaking: September 29, 19996) Does this rulemaking contain an automatic repeal date? No7) Does this amendment contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: July 2, 1999, 23 Ill. Reg. 738310) Has JC&R Issued a Statement of Objections to this rulemaking? No11) Differences between proposal and final version:

In Section 557.10(c), added "subsection" before "(b)".

In Section 557.20(b), changed "there" to "these".

12) Have all the changes agreed upon by the agency and JC&R been made as indicated in the agreement letter issued by JC&R? Yes13) Will this amendment replace an emergency amendment currently in effect?
No14) Are there any amendments pending on this Part: No15) Summary and Purpose of Amendments: This rulemaking revises this Part to make it consistent with the new federal amendments to the Rehabilitation Act. A new rulemaking on geographic transfer of Vocational Rehabilitation

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cases is also added.

16) Information and questions regarding these adopted amendments shall be directed to:

Ms. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield, Illinois 62762
Telephone number: (217) 785-9772

The full text of adopted amendments begins on the next page:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 557
APPLICATION

Section

- 557.10 General Applicability
557.20 Geographical Customer Assignment
557.30 Application Required
557.40 Who May Sign
557.50 Assistance in Attaining Necessary Financial Support
557.60 Application for Services by DHS-ORS Employees, Individuals Holding Contracts with DHS-ORS, DHS-ORS Advisory Council Members, Family Members of DHS-ORS Employees or Close Friends of DHS-ORS Employees

AUTHORITY: Implementing and authorized by Section 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3(a), (b) and (k)].

SOURCE: Adopted at 9 Ill. Reg. 8755, effective June 10, 1985; amended at 11 Ill. Reg. 820, effective December 23, 1986; amended at 11 Ill. Reg. 15220, effective August 31, 1987; amended at 12 Ill. Reg. 12099, effective July 7, 1988; amended at 13 Ill. Reg. 16552, effective October 10, 1989; emergency amendment at 17 Ill. Reg. 11654, effective July 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 20341, effective November 15, 1993; amended at 19 Ill. Reg. 1135, effective January 23, 1995; amended at 19 Ill. Reg. 2473, effective February 21, 1995; amended at 19 Ill. Reg. 10706, effective July 11, 1995; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9325; amended at 23 Ill. Reg. 484, effective December 28, 1998; amended at 23 Ill. Reg. 12621, effective SEP 29 1999.

Section 557.10 General Applicability

- Rules contained within this Part are applicable to all Department of Human Services, Office of Rehabilitation Services (DHS-ORS) Vocational Rehabilitation (VR) customers clients.
- For the purposes of this Part, with the exception of Section 557.40, "customer client" shall mean any individual seeking VR services from DHS-ORS.
- For the purposes of Section 557.40, the term "customer client" shall include the individual in subsection (b) above and, as appropriate, that individual's parent, family member, guardian, advocate, or duly authorized representative.

(Source: Amended at 23 Ill. Reg. 12621, effective SEP 29 1999.)

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Section 557.20 Geographical Customer Assignment

- A customer will be served by the office assigned to the geographic area of the customer's residence. Exceptions to such assignment will only be made when:
 - the customer has temporarily relocated to participate in an IPE IWRP (89 Ill. Adm. Code 572) and DHS-ORS has a counselor specifically assigned to the program in which the customer will be participating; or
 - with written approval of the Regional Administrator ~~or Deputy Director of the Bureau Chief of of--Blind--Services--or the appropriate Bureau or designee of--Rehabilitation--Services--as appropriate.~~
- If the customer moves, the case may be transferred to the DHS-ORS office in the new geographic area. To be transferred, the customer's case shall meet all of the following conditions:
 - The case record indicates VR services are currently being provided or there is a need for future VR services;
 - the customer has been informed of the transfer;
 - after review by the receiving office, it is confirmed that the customer needs VR services.

If the case meets these conditions, the transfer shall be approved by both supervisors. If the case does not meet these conditions, it should be closed in the current caseload and, if appropriate, a referral made to the new geographic area office.

(Source: Amended at 23 Ill. Reg. 12621, effective SEP 29 1999.)

Section 557.30 Application Required

In order for a customer's client's case to be moved to applicant status, the customer client must make formal application for services. This shall be done by completing completion of the APPLICATION FOR SERVICES AND RIGHTS/REMEDIES (Application) (IL 488-1489).

(Source: Amended at 23 Ill. Reg. 12621, effective SEP 29 1999.)

Section 557.40 Who May Sign

- The Application must be signed by the customer. The only exception to this is when the customer is competent and at least 18 years of age, but documentation in the case file indicates that the customer is physically unable to sign his/her signature, in which case the counselor will write a statement indicating the reason the customer is unable to sign the Application. This statement must be signed by a witness to attest to its validity.

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- b) If the customer is under 18 years of age, unless emancipated in accordance with the Emancipation of Mature Minor Act [750 ILCS 30], the Application must also be signed by the parent or legal guardian.
- c) If the customer is a person for whom a legal guardian of the person has been appointed, the legal guardian must also sign the Application application.

(Source: Amended at 23 Ill. Reg. 12621, effective SEP 29 1999)

Section 557.50 Assistance in Attaining Necessary Financial Support

At the time of application, if it is determined the customer client does not have the necessary financial resources to live, and he/she can be expected to be eligible for support from any public or private entity or entities, the rehabilitation counselor/instructor must assist the customer client in making application for such benefits.

(Source: Amended at 23 Ill. Reg. 12621, effective SEP 29 1999)

Section 557.60 Application for Services by DHS-ORS Employees, Individuals Holding Contracts with DHS-ORS, DHS-ORS Advisory Council Members, Family Members of DHS-ORS Employees or Close Friends of DHS-ORS Employees

- a) At any time a DHS-ORS employee, an individual holding a contract with DHS-ORS, a DHS-ORS Advisory Council member, a family member of a DHS-ORS employee, or close friend of a DHS-ORS employee applies for services from DHS-ORS and it is brought to the attention of the employee, the employee must notify his/her the supervisor who shall notify the appropriate Bureau Chief or designee Regional Administrator RA in writing.
- b) After review of the situation, the Bureau Chief RA shall make assignment of the case to an appropriate staff member to ensure propriety of services.
- c) For the purpose of this Section, "family member" shall mean spouse, sibling, child, parent, parent-in-law, sibling-in-law, or any other blood relative who resides in the household of the employee or employee's spouse.
- d) For the purpose of this Section, "close friend" shall mean any individual who has such a relationship with the employee that would cause a conflict of interest or the appearance of impropriety.
- e) Any employee who knows of or suspects that services to another DHS-ORS employee, individual who holds a contract with DHS-ORS, DHS-ORS Advisory Council member, family member of a DHS-ORS employee, or close friend of a DHS-ORS employee has have not been reported as required in subsection (a) above shall report the situation to his/her immediate

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supervisor. The immediate supervisor must investigate the situation and take appropriate action. Appropriate action may include reassignment of the case and discipline of the employee violating these requirements if there is evidence the employee knew the individual to be an individual described in subsection (a) above and failed to report the situation.

(Source: Amended at 23 Ill. Reg. 12621, effective SEP 29 1999)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Audit Requirements of DHS
- 2) Code Citation: 89 Ill. Adm. Code 507
- 3) Section Numbers: Adopted Action:
507.10 Amended
- 4) Statutory Authority: Implementing and authorized by Department of Human Services Act [20 ILCS 1305].
- 5) Effective Date of Rulemaking: October 4, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: July 9, 1999, 23 Ill. Reg. 7705
- 10) Has JCAR Issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect?
Yes
- 14) Are there any amendments pending on this Part: No
- 15) Summary and Purpose of Amendment: This rulemaking amends the section regarding audit requirements for agencies contracting with DHS. This amendment excludes the funding received from other State departments from the total amount of funding used to qualify the contractor for the various types of audit requirements. This change will make DHS' rules consistent with those of other State agencies. This amendment will be less onerous on the contractors by reducing the reporting requirements
- 16) Information and questions regarding this adopted amendment shall be directed to:

Ms. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures

DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS

Department of Human Services
100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield, Illinois 62762
Telephone number: (217) 785-9772

The full text of the adopted amendment begins on the next page:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
 SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 507

AUDIT REQUIREMENTS OF DHS

Section
 507.10 Audit Requirements

AUTHORITY: Implementing and authorized by Department of Human Services Act [20 ILCS 1305].

SOURCE: Adopted by emergency rule at 22 Ill. Reg. 12154, effective June 24, 1998, for a maximum of 150 days; emergency expired November 21, 1998; adopted at 22 Ill. Reg. 22386, effective December 8, 1998; emergency amendment at 23 Ill. Reg. 7768, effective June 24, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 12627, effective 06/04/1999.

Section 507.10 Audit Requirements

- a) Each Provider receiving purchase of service or grant contract funding (Provider) from the Department of Human Services (Department) shall annually submit to the Department an independent audit report or revenue and expense data in a form prescribed by the Department, to enable the Department to perform fiscal monitoring and to account for the usage of funds paid to the Provider under Agreements with the Department. Providers subject to these requirements shall be notified by registered or certified letter no later than May 31st of the year of the contract. This letter shall contain detailed instructions related to independent audit requirements, including provisions for requesting waivers, modifications and filing extensions.
- b) If the Provider's combined purchase of service or grant contract funding for Department programs and-other-State-funding is less than \$100,000, the Provider will be required to submit revenue and expense data in a form prescribed by the Department. Two copies shall be filed with the Department's Office of Contract Administration. The report shall be submitted within 120 days after the end of the Provider's fiscal year.
- c) If the Provider's combined purchase of service or grant contract funding for Department programs and-other-State-funding is less than \$300,000 but \$100,000 or more greater, the Provider will be required to submit revenue and expense data in a form prescribed by the Department with an opinion from an Independent Certified Public Accountant. Two copies shall be filed with the Department's Office of Contract Administration. The report with an opinion shall be submitted within 120 days after the end of the provider's fiscal year.
- d) If the Providers combined purchase of service or grant contract

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funding for Department programs and-other-State-funding is \$300,000 or more greater, the Provider shall be required to submit an independent audit report and revenue and expense data in a form prescribed by the Department. For Providers required to submit an independent audit report, the basic requirements are:

- 1) The audit shall be conducted by a Certified Public Accountant or Certified Public Accounting Firm licensed in the State of Illinois;
- 2) The audit report shall include the financial statements prescribed by the Financial Accounting Standards Board for Not-For-Profit Organizations not-for-profit organizations, or the Governmental Accounting Standards Board for Governmental Entities governmental entities, as appropriate;
- 3) The audits shall be conducted in accord with the "single audit" requirements and standards when the Provider receives or expends Federal funds that cumulatively exceed the Federal threshold. These requirements are detailed in Federal OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations"; and
- 4) The report shall be submitted within 120 days after the end of the Provider's fiscal year. Two copies of any reports prepared in accordance with Federal OMB Circular A-133 shall be filed with the Department's Office of Contract Administration. Any request for an extension of time to file an independent audit report or supplemental revenue and expense data shall be submitted to the Department's Manager of the Office of Contract Administration. The Manager of the Office of Contract Administration shall respond in writing to each such request within 14 days after it is received by the Office of Contract Administration.
- e) A request for exception to the audit requirements prescribed in this Section shall be submitted to the Department's Manager of the Office of Contract Administration. Such requests shall be approved only when convincingly justified. The Department's Manager of the Office of Contract Administration shall respond in writing to each request for exception within 14 days after it is received by the Office of Contract Administration.
- f) Audit requirements may shall be waived by the Manager of the Office of Contract Administration when it is deemed to be in the interest of the State of Illinois or when it enhances the operating efficiency of the State. A written determination for the waiver shall be maintained by the Office of Contract Administration.
- g) Failure to meet the these audit requirements contained in this Section shall result in the suspension of funding.

(Source: Amended at 23 Ill. Reg. 12627, effective 06/04/1999)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Individualized Written Rehabilitation Program (IWRP)

- 2) Code Citation: 89 Ill. Adm. Code 572

- 3) Section Numbers: Adopted Action:

572.20	Amended
572.30	Amended
572.40	Amended
572.50	Amended
572.60	Amended
572.80	Amended
572.90	Amended
572.100	Amended
572.110	Amended

- 4) Statutory Authority: Implementing and authorized by Section 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3 (a), (b), and (k)].

- 5) Effective Date of Rulemaking: September 29, 1999

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this amendment contain incorporations by reference? No

- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

- 9) Notice of Proposal Published in Illinois Register: July 2, 1999, 23 Ill. Reg. 7406

- 10) Has JCAR Issued a Statement of Objections to this rulemaking? No

- 11) Difference between proposal and final version: None

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this amendment replace an emergency amendment currently in effect?
No

- 14) Are there any amendments pending on this Part: No

- 15) Summary and Purpose of amendments: This rulemaking revised this Part to make it consistent with the new federal amendments to the Rehabilitation Act. The new Act removes the requirement for an Individualized Written Rehabilitation Program and replaces it with an Individualized Employment

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

Plan.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Ms. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield, Illinois 62762
Telephone number: (217) 785-9772

The full text of adopted amendments begins on the next page:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 572

INDIVIDUALIZED PLAN FOR EMPLOYMENT (IPE) WRITTEN-REHABILITATION-PROGRAM

({WRP})

Section

- 572.10 General Applicability
572.20 Commencement of the IPE IWRP
572.30 Purpose of the IPE IWRP
572.40 Coordination of the IPE IWRP with an Individualized Educational Program (IEP)
572.50 IPE IWRP Development and Content
572.60 Format of the IPE IWRP
572.70 Services to Families
572.80 IPE IWRP Amendments
572.90 Notice of Changes to the IPE IWRP
572.100 Case File Documentation
572.110 Review of IPE IWRP
572.200 Reporting of Customer Participation

AUTHORITY: Implementing and authorized by Section 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3(a), (b), and (k)].

SOURCE: Adopted at 9 Ill. Reg. 8801, effective June 10, 1985; amended at 11 Ill. Reg. 5144, effective March 17, 1987; amended at 14 Ill. Reg. 18561, effective November 5, 1990; amended at 15 Ill. Reg. 17367, effective November 19, 1991; emergency amendments at 17 Ill. Reg. 11770, effective July 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 20438, effective November 15, 1993; amended at 19 Ill. Reg. 7963, effective June 2, 1995; amended at 20 Ill. Reg. 6311, effective April 18, 1996; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9325; amended at 23 Ill. Reg. 1656, effective January 20, 1999; amended at 23 Ill. Reg. 12631, effective SEP 29 1999.

Section 572.20 Commencement of the IPE IWRP

The Individualized Plan for Employment (IPE) WRITTEN-REHABILITATION-PROGRAM ({WRP}) shall be initiated after the Assessment of Rehabilitation Needs Summary (89 Ill. Adm. Code 553.100) or the successful completion of trial work (Ill. Adm. Code 553.75) or certification-for-extended-evaluation-(89-iii-Adm-Code 553-80).

(Source: Amended at 23 Ill. Reg. 12631, effective SEP 29 1999)

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Section 572.30 Purpose of the IPE IWRP

- a) The IPE IWRP is a non-binding agreement between the customer and the DHS-ORS that outlines the nature and scope of vocational rehabilitation services to be provided to the customer to meet the established objectives that are related to the customer's vocational goal.
- b) The IPE IWRP identifies the program of services that will assist the individual to achieve an his/her employment objective consistent with the customer's his/her unique strengths, resources, priorities, concerns, abilities, capabilities, career interests, and informed choices.

(Source: Amended at 23 Ill. Reg. 12631, effective SEP 29 1999)

Section 572.40 Coordination of the IPE IWRP with an Individualized Educational Program (IEP)

In cases of secondary school students/customers (public, private, state-operated schools) for whom an IEP (as described in 23 Ill. Adm. Code 226.5 "Terms Defined") is involved, the IPE DHS-IWRP shall be prepared in coordination with the educational facility and shall include a summary of vocationally relevant elements of the IEP which relate to the vocational goals and objectives contained in the IPE IWRP. If in-it-cases the customer/student is receiving secondary educational services under an IEP, a copy of the IEP must be included in in the customer's/student's case file.

(Source: Amended at 23 Ill. Reg. 12631, effective SEP 29 1999)

Section 572.50 IPE IWRP Development and Content

- a) After completion-of-the-assessment-of-rehabilitation-needs--(89-iii-Adm---Code-553-100)--an-IWRP-must-be-developed-to-outline-the-specific-services-the-customer-will-receive--to--enhance--the--ability--of--the-customer-to-achieve-his/her-vocational-goal-
- a) b) The IPE IWRP must be jointly developed, agreed to and signed by the customer, or, as appropriate, the customer's parent, family member, guardian, advocate, or authorized representative, and approved and signed by the counselor. The IPE shall be developed and implemented in a manner that affords the customer the opportunity to exercise informed choice in selecting an employment outcome, the specific vocational services to be provided, the provider of the services and the methods used to provide services.

b) e) The IPE IWRP must contain the following:

- 1) a statement of the specific employment outcome that is chosen by the customer vocational--goal based on the assessment of

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rehabilitation needs (89 Ill. Adm. Code 553.100), including an assessment of the customer's career interests. The goal shall be, to the maximum extent possible, an employment outcome in an integrated setting;

- 2) a statement of intermediate rehabilitation objectives related to attainment of the customer's vocational goal and how these objectives are to be met, based on the informed choice of the customer, in the most individualized and integrated setting;
- 3) a statement of the specific VR services to be provided, with anticipated beginning and ending dates for each service;
- 4) an assessment and a reassessment prior to case closure, of the expected need for post-employment services; if post-employment services are to be provided, the IWRP must include a description of the terms and conditions for the provision of any post-employment services, including the anticipated duration of those services subsequent to the achievement of an employment outcome by the individual;
- 5) an objective criteria and evaluation method, with specific dates, to determine if the goals and objectives are being met;
- 6) a description of the terms and conditions under which services will be provided to the customer in the most integrated setting possible;
- 7) identification of the entity or entities that provide VR services to the customer and how the customer will receive the specific services (e.g., by attending an on-site training program, by office visits to a medical service provider, etc.);
- 8) a statement by the customer, in the customer's words, or if appropriate, by a parent, family member, guardian, advocate or authorized representative, describing how the customer was informed about his/her options regarding his/her objectives, services, service providers and methods of service procurement and how he/she was involved in making these choices;
- 9) the customer's rights and remedies, including recourse under the appeals process (89 Ill. Adm. Code 510);
- 10) a description of the availability of services through the Client Assistance Program; and
- 11) information regarding other related benefits and services the customer may access which will not be services DHS-ORS will assist in obtaining, but which may assist in the attainment of his/her employment goal;
- d) As appropriate, the customer's IWRP must also contain:
 - 1) identification of necessary rehabilitation technology services;
 - 2) identification of the anticipated need for on-the-job and related Personal Assistance services;
 - 3) assessment of the customer's needs for extended services, and prior to case closure after attainment of the employment goal, reassessment of such needs; and
 - 4) a statement describing how services shall be provided or arranged

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- 2) through cooperative agreements with other service providers, timelines for the initiation of the services and for the achievement of the employment outcome;
- 3) the customer's rights and remedies, including filing of an appeal under 89 Ill. Adm. Code 510;
- 4) a description of the Client Assistance Program (CAP), its services, and how to contact CAP;
- 5) a statement of the specific VR services to be provided;
- 6) identification of the entity or entities that will provide VR services to the customer and how the customer will receive the specific services, including comparable benefits (e.g., by attending an on-site training program, by office visits to a medical services provider, etc.). This shall include a statement describing how service shall be provided or arranged through cooperative agreements with other service providers;
- 7) how progress toward achieving the employment outcome will be evaluated;
- 8) an assessment, and a reassessment prior to case closure, of the expected need for post-employment services. If post-employment services are to be provided, the IPE must include a description of the terms and conditions for the provision of any post-employment services, including the anticipated duration of those services; and
- 9) a description of the terms and condition under which services will be provided to the customer in the most integrated setting possible.

(Source: Amended at 23 Ill. Reg. 12631, effective SEP 29 1999)

Section 572.60 Format of the IPE IWRP

- a) A copy of the original IPE IWRP and any amendments must be provided to the customer and must, to the maximum extent possible, be provided in the customer's native language and mode of communication, or, as appropriate, in the native language and mode of communication of the parent, family member, guardian, advocate or authorized representative.
- b) When at any time a non-English print version of any form or document, including the IPE IWRP, is used to meet the customer's needs and is placed in the case file, an English print copy must also be completed by the rehabilitation counselor/instructor and placed with the non-English print version in the case file.

(Source: Amended at 23 Ill. Reg. 12631, effective SEP 29 1999)

Section 572.80 IPE IWRP amendments

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- a) Any change to an individual's planned program of services, vocational goals, or service providers objectives requires an amendment to the IPE IWRP. The case file must have documentation reflecting the reason for the amendment. Closures require an IPE IWRP amendment.
- b) Any amendments or revisions resulting from an annual review (89 Ill. Adm. Code 572.110) shall not take effect until the changes are agreed to and signed by the customer or, as appropriate, the parent, family member, guardian, advocate or authorized representative.

(Source: Amended at 23 Ill. Reg. 12631, effective SEP 29 1999)

Section 572.90 Notice of Changes to the IPE IWRP

Notification Adequate, timely notification of any DHS-ORS-initiated change to the IPE IWRP must be provided to the customer. Such notification must be made in writing at least 15 work days prior to the effective date of change unless the customer has signed the IPE IWRP indicating agreement with the change. The notification must conform to 89 Ill. Adm. Code 510.60(d) and include a description of CAP services and how to contact CAP.

(Source: Amended at 23 Ill. Reg. 12631, effective SEP 29 1999)

Section 572.100 Case File Documentation

The customer's case file must contain documentation and justification for any decision to provide, deny, or alter any services. 7-based-on-the-customer's-and-counselor's-knowledge-of-the-customer's-service-needs-the-availability-of-appropriate-services-and-DHS-ORS-rules-(89-III-Adm--Code--Chapter--IV-Subchapter-B--Vocational-Rehabilitation)

(Source: Amended at 23 Ill. Reg. 12631, effective SEP 29 1999)

Section 572.110 Review of IPE IWRP

An IPE IWRP shall be reviewed whenever necessary, but at least annually. 7--to ensure--that-services-being-provided-are-adequate-and-appropriate-to-ensure-the-customer-a-successful-employment-outcome-

(Source: Amended at 23 Ill. Reg. 12631, effective SEP 29 1999)

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- 1) Heading of the Part: Related Program Provisions
- 2) Code Citation: 89 Ill. Adm. Code 117
- 3) Section Numbers: Adopted Action: 117.92 New Section
- 4) Statutory Authority: Implementing Article III, IV and VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. III, IV and VI, and 12-13].
- 5) Effective Date of Amendments: October 15, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: April 2, 1999 (23 Ill. Reg. 3893)

10) Has JCAR Issued a Statement of Objections to these amendments? No

11) Differences between proposal and final version: The following change was made in the text of the proposed amendments:

In Section 117.92(a)(2)(A), "in 2-parent cases" was inserted after "parents".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will these amendments replace emergency amendments currently in effect? No

14) Are there any amendments pending on this Part: No

15) Summary and Purpose of Amendments: These amendments allow the Department to implement an electronic finger imaging program in local offices on a statewide basis. Unless exempt, adults would be required to comply with the electronic finger imaging requirement as a condition of eligibility for the following programs: Food Stamps; TANF cash assistance; and General Assistance programs administered by the Department in the City of Chicago (Transitional Assistance and Family and Children Assistance).

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As a result of these amendments, failure or refusal of mandatory adults to comply with the electronic finger imaging requirement would cause ineligibility for the entire case or Food Stamp assistance unit. The assistance unit would, however, remain eligible for medical assistance.

16) Information and questions regarding these adopted amendments shall be directed to:

Mrs. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield, Illinois 62762
Telephone number: (217) 785-9772

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 117

RELATED PROGRAM PROVISIONS

Section	
117.1	Incorporation By Reference
117.10	Payee for Financial Assistance
117.11	Issuance of Cash Assistance Benefits
117.12	Client Training for the Electronic Benefits Transfer (EBT) System
117.13	Replacement of the EBT Card
117.15	Reinstatement Upon Cooperation
117.20	Replacement of Missing Warrants
117.30	Withholding of Rent (Repealed)
117.40	Recovery of Interim Assistance - Aid to the Aged, Blind or Disabled and General Assistance
117.50	Funerals and Burials
117.51	Funeral Home Services
117.52	Burial Expenses
117.53	Payment to Vendor(s)
117.54	Claims for Reimbursement
117.55	Submittal of Claims
117.60	Substitute Parental Care/Supplemental Child Care - AFDC, ARABD and GA Family Cases
117.70	Charge for Replacement of Photo ID Cards (Repealed)
117.80	Direct Deposit of Recipients' Warrants
117.90	State Income Tax Match
117.91	New Hire Match
117.92	Electronic Finger Imaging

AUTHORITY: Implementing Articles III, IV and VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV and VI and 12-13].

SOURCE: Filed and effective December 30, 1977; amended at 2 Ill. Reg. 31, p. 68, effective August 3, 1978; amended at 3 Ill. Reg. 38, p. 258, effective September 20, 1979; amended at 3 Ill. Reg. 41, p. 167, effective October 1, 1979; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 16111, effective November 22, 1983; amended at 9 Ill. Reg. 3726, effective March 13, 1985; amended at 9 Ill. Reg. 4526, effective March 20, 1985; amended at 9 Ill. Reg. 8733, effective May 29, 1985; amended at 9 Ill. Reg. 10779, effective July 5, 1985; amended at 9 Ill. Reg. 16914, effective October 16, 1985; amended at 11 Ill. Reg. 4759, effective March 13, 1987; amended at 12 Ill. Reg. 2985, effective January 13, 1988; amended at 12 Ill. Reg. 13608, effective August 15, 1988; amended at 12 Ill. Reg. 14296, effective August 30, 1988; amended at 13 Ill. Reg. 3936, effective March 10, 1989; amended at 14 Ill. Reg. 780,

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effective January 1, 1990; amended at 14 Ill. Reg. 9488, effective June 1, 1990; amended at 15 Ill. Reg. 13533, effective August 1, 1991; amended at 16 Ill. Reg. 16644, effective October 23, 1992; emergency amendment at 17 Ill. Reg. 2368, effective February 8, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 8191, effective May 24, 1993; amended at 18 Ill. Reg. 3746, effective February 28, 1994; amended at 18 Ill. Reg. 7403, effective April 29, 1994; amended at 19 Ill. Reg. 1103, effective January 26, 1995; amended at 19 Ill. Reg. 10702, effective July 7, 1995; emergency amendment at 19 Ill. Reg. 15267, effective November 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 877, effective January 1, 1996; amended at 20 Ill. Reg. 5706, effective March 30, 1996; emergency amendment at 20 Ill. Reg. 10381, effective July 23, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. 395, effective December 20, 1996; amended at 21 Ill. Reg. 7759, effective June 4, 1997; emergency amendment at 21 Ill. Reg. 8677, effective July 1, 1997, for a maximum of 150 days; amended from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 21 Ill. Reg. 15591, effective November 26, 1997; amended at 22 Ill. Reg. 16251, effective September 1, 1998; amended at 22 Ill. Reg. 18951, effective October 1, 1998; amended at 23 Ill. Reg. 5263, effective April 19, 1999; amended at 23 Ill. Reg. 11174, effective August 27, 1999; amended at 23 Ill. Reg. **12638**, effective **OCT 15 1999**.

Section 117.92 Electronic Finger Imaging

The Department will operate the electronic finger imaging system on a statewide basis. The system will be used in the administration of the Food Stamp Program and the Temporary Assistance for Needy Families (TANF) program. In addition, in the City of Chicago, the system will be used in the administration of the two General Assistance (GA) programs (the Family and Children Assistance program and the Transitional Assistance program).

a) Unless exempt, the Department will require the following persons to undergo electronic finger imaging:

- 1) All adult applicants for food stamps, TANF cash assistance, and City of Chicago General Assistance.
- 2) All adult recipients of food stamps, TANF cash assistance, and City of Chicago General Assistance, including:
 - A) second parents in 2-parent cases; and
 - B) minor grantees for TANF cash cases in which the minor parent is considered an adult; and
 - C) all payees for food stamps, TANF cash assistance, and City of Chicago General Assistance who do not receive cash and/or food stamp benefits in the case (this does not apply to protective payee cases for any category of assistance or representative payee for teens (RPT) TANF cash cases).

b) Exemptions From Finger Imaging

- 1) The Department will grant a person with both index fingers broken or bandaged a temporary exemption. To be granted the exemption, the person must provide documentation from a physician that

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verifies the medical condition. The documentation must state when the person can participate. The length of the exemption shall be based on the physician's statement. When the person's condition improves to the point where he or she can be finger imaged, the Department shall contact the person so that he or she can complete the process.

- 2) A person who is missing both hands or both index fingers will be granted a permanent exemption.

c) Cooperation With Finger Imaging Requirements

- 1) The failure or refusal of a person who is not medically exempt to comply with finger imaging requirements will result in ineligibility for cash assistance and/or food stamps for the entire Food Stamp, TANF or General Assistance unit.

- 2) In the event of a system failure or prolonged downtime, a person who agrees to be finger imaged shall be considered as having cooperated. The person shall be required to return to the local office, within a specified period of time, to complete the finger imaging process when the system is operational. If the individual does not return, within the specified period of time, he or she will be considered as not cooperating.

- 3) In no instance shall the issuance of benefits be delayed beyond the application time limits as specified in 89 Ill. Adm. Code 110.20 or 89 Ill. Adm. Code 121.2.

- 4) The Department shall provide material to all applicants and recipients that will explain the following information:

- A) the finger imaging process;
- B) the reason for the process;
- C) the confidentiality of the information; and
- D) the fact that cooperation with the finger imaging process is a condition of eligibility.

d) Intake

The local office will finger image a person when he or she applies for assistance. If the applicant fails or refuses to be finger imaged, the Department shall deny the cash assistance and/or the food stamp portion of his or her application.

e) Active Cases

The local office will finger image clients as listed in subsections (e)(1) through (4). If the client fails or refuses to be finger imaged, the Department shall discontinue cash and/or food stamp assistance.

- 1) The local office shall send a notice to adults in Food Stamp, TANF, and City of Chicago GA cases scheduled for a face-to-face redetermination advising them of the finger imaging requirement. The notice shall also advise the adult or adults that they will be scheduled for a finger imaging appointment at the completion of their redetermination interview.

- 2) The local office shall make every effort to accommodate clients when they must reschedule their finger imaging appointments.

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When a mandated client fails to appear for his or her scheduled appointment and does not call to reschedule, the local office shall send a notice to discontinue cash and/or food stamp assistance to the client for failure to comply with finger imaging requirements.

3) The Department's investigators shall advise the local office to take appropriate action to cancel cash assistance and Food Stamps if their investigation validates a match and finds no satisfactory reason for its concerns. Upon receipt of the information from the Department's investigators, the local office shall cancel cash assistance and food stamps.

4) Whenever a new adult is added to an active case, or there is a change in the payee, the local office shall inform the person of the finger imaging requirements. The local office shall schedule an appointment for the person to come into the office for finger imaging.

(Source: Added at 23 Ill. Reg. 12638, effective
00151999)

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- 1) Heading of the Part: Service Planning and Provision
- 2) Code Citation: 89 Ill. Adm. Code 684
- 3) Section Numbers: Adopted Action: 684.75 New
- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].
- 5) Effective Date of Rulemaking: 10/4/99
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: July 2, 1999, 23 Ill. Reg. 7413
- 10) Has JCARE Issued a Statement of Objections to this Rulemaking? No
- 11) Difference between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCARE been made as indicated in the agreement letter issued by JCARE? Yes
- 13) Will this amendment replace an emergency amendment currently in effect?
No
- 14) Are there any amendments pending on this Part: Yes

Section Numbers Proposed Action Illinois Register Citation
684.30 Amended 23 Ill. Reg. 10918

15) Summary and Purpose of Amendments: This rulemaking adds Section 684.75 "Required Physicians Certification of the HSP Plan". The new Section gives the criteria and the timing for requiring customers of HSP to obtain a physician's certification of their service plan.

16) Information and questions regarding this adopted rule shall be directed to:

Ms. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services

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100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield, Illinois 62762
Telephone number: (217) 785-9772

The full text of the adopted amendment begins on the next page:

DEPARTMENT OF HUMAN SERVICES

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TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAM

PART 684

SERVICE PLANNING AND PROVISION

Section	
684.10	Service Plan
684.20	Procuring an Appropriate Service Provider
684.30	Family Members as Service Providers
684.40	Distribution of the Service Plan
684.50	Service Plan Content
684.60	Provision of Services
684.70	Service Planning Limitations
684.75	Required Physician's Certification of HSP Service Plan
684.80	Interim Services
684.90	Coordination of HSP and Other Services
684.100	Denial or Termination of HSP Services

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

SOURCE: Adopted at 19 Ill. Reg. 5129, effective March 21, 1995; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9325; amended at 22 Ill. Reg. 18955, effective October 1, 1998; amended at 23 Ill. Reg. 6470, effective May 17, 1999; amended at 23 Ill. Reg. 12644, effective 01/04/99.

Section 684.75 Required Physician's Certification of HSP Service Plan

A Physician's Certification (IL 488-1780) shall be obtained from the customer's physician when:

- a) the customer's initial service plan is developed (Section 684.10);
- b) after any service cost increase longer than 90 days, when the increase is caused by an increase in the hours of service or in the type of service that raises the service cost to a level higher than allowed by the customer's current DON score;
- c) the cost of services decreases for a period longer than 90 days to a level lower than the SCM for the customer's current DON score and the decrease is due to the customer's health improving; or
- d) during the redetermination of eligibility (89 Ill. Adm. Code 682: Subpart E) either:
 - 1) the service costs increase to a level higher than the customer's previous DON score SCM due to an increase in the hours of service;
 - 2) the type of service increases to a level higher than the customer's previous DON score SCM; or

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- 3) the service costs decrease to a lower SCM level than the customer's previous DON score because of an improvement in the customer's health.
the services provided to the customer shall not be interrupted while the new physician's Certification is being secured by DHS-ORS/HSP.

(Source: Added at 23 Ill. Reg. 12644, effective 06/04/1999)

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- 1) Heading of the Part: Temporary Assistance for Needy Families
- 2) Code Citation: 89 Ill. Adm. Code 112
- 3) Section Numbers: 112.78
Adopted Action: Amendment
- 4) Statutory Authority: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].
- 5) Effective Date of Amendments: September 27, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: May 14, 1999 (23 Ill. Reg. 5637)
- 10) Has JCAR Issued a Statement of Objections to this amendment? No
- 11) Differences between proposal and final version: The following changes were made in the text of the proposed amendments:
 1. The SUBPART HEADING was added.
 2. In Section 112.78(h)(1)(B), "Service" was changed to "Services".
 3. In Section 112.78(h)(1)(L), "For category 04 cases," was added before "the", "unless" was added after "individual," and the reference to "(h)(1)(M)" was changed to "(h)(1)(N)".
 4. "For category 06 (two parent) cases, the parents in the case must be working or involved in approved work activities for a total of 35 hours per week, individually or combined," was added at the end of Section 112.78(h)(1)(M) and the remaining subsections were renumbered accordingly.
 5. In Section 112.78(h)(1)(N), "in a category 04 case" was added after "Clients" and "or better" was added after "2.5".
 6. In Section 112.78(h)(1)(N)(i), a comma was added after "semester".
 7. In Section 112.78(h)(1)(N)(ii), "at least" was added after "remains".

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No other substantive changes have been made in the text of the proposed amendments.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? Yes

14) Are there any amendments pending on this Part: Yes

Section Numbers	Proposed Action	Illinois Register Citation
112.82	Amendment	23 Ill. Reg. 9989
112.101	Amendment	23 Ill. Reg. 8579
112.130	Amendment	23 Ill. Reg. 8579
112.307	Amendment	23 Ill. Reg. 8579
112.308	Amendment	23 Ill. Reg. 8579

15) Summary and Purpose of Rule(s): Changes are being made to clarify the post-secondary education provisions and in response to comments received on amendments proposed by the Department to 89 Ill. Adm. Code. 112 (published January 22, 1999, at 23 Ill. Reg. 831) regarding the time limit on receipt of benefits for clients enrolled in post-secondary education. As a result of these amendments, approval of post-secondary education will be part of the process of developing the Responsibility and Services Plan (RSP) with the client. Factors which will be considered when the determination is being made as to whether post-secondary education is appropriate will include, but are not limited to, the client's educational and work history, the client's aptitude for further education, the client's career goal, the client's ability to finance tuition and other expenses not provided by the Department, and the client's ability to arrange transportation, child care and other family obligations.

16) Information and questions regarding these adopted amendments shall be directed to:

Mrs. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield Illinois 62762
(217) 785-9772

The full text of adopted amendments begin on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 112
TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

SUBPART A: GENERAL PROVISIONS

Section	Description of the Assistance Program	Time Limit on Receipt of Benefits for Clients Enrolled in Post-Secondary Education	Incorporation by Reference
112.1			
112.2			
112.5			

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section

112.8	Caretaker Relative
112.9	Client Cooperation
112.10	Citizenship
112.20	Residence
112.30	Age
112.40	Relationship
112.50	Living Arrangement
112.52	Social Security Numbers
112.54	Assignment of Medical Support Rights
112.60	Basis of Eligibility
112.61	Death of a Parent (Repealed)
112.62	Incapacity of a Parent (Repealed)
112.63	Continued Absence of a Parent (Repealed)
112.64	Unemployment of the Parent (Repealed)
112.65	Responsibility and Services Plan
112.66	Alcohol and Substance Abuse Treatment
112.67	Restriction in Payment to Households Headed by a Minor Parent
112.68	School Attendance Initiative
112.69	Felons and Violators of Parole or Probation

SUBPART C: TANF EMPLOYMENT AND WORK ACTIVITY REQUIREMENTS

Section

112.70	Employment and Work Activity Requirements
112.71	Individuals Exempt from TANF Employment and Work Activity Requirements
112.72	Participation/Cooperation Requirements
112.73	Adolescent Parent Program (Repealed)
112.74	Responsibility and Services Plan
112.75	Teen Parent Personal Responsibility Plan (Repealed)

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112.76	TANF Orientation	
112.77	Reconciliation and Fair Hearings	
112.78	TANF Employment and Work Activities	
112.79	Sanctions	
112.80	Good Cause for Failure to Comply with TANF Participation Requirements	
112.81	Responsible Relative Eligibility for JOBS (Repealed)	
112.82	Supportive Services	
112.83	Teen Parent Services	
112.84	Work Experience Evaluation Project (Repealed)	
112.85	Four Year College/Vocational Training Demonstration Project (Repealed)	

SUBPART E: PROJECT ADVANCE

Section	
112.86	Project Advance (Repealed)
112.87	Project Advance Experimental and Control Groups (Repealed)
112.88	Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers (Repealed)
112.89	Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers (Repealed)
112.90	Project Advance Sanctions (Repealed)
112.91	Good Cause for Failure to Comply with Project Advance (Repealed)
112.93	Individuals Exempt From Project Advance (Repealed)
112.95	Project Advance Supportive Services (Repealed)

SUBPART F: EXCHANGE PROGRAM

Section 112.98	Exchange Program (Repealed)
SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY	
Section	Unearned Income
112.100	Unearned Income of Stepparent or Parent
112.101	Budgeting Unearned Income
112.106	Budgeting Unearned Income of Applicants Employed On Date of

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112.1.130	Earned Income	Employees
112.1.131	Earned Income Tax Credit	
112.1.132	Budgeting Earned Income	
112.1.133	Budgeting Earned Income of Employed Applicants	
112.1.134	Initial Employment	
112.1.135	Budgeting Earned Income For Contractual Employees	
112.1.136	Budgeting Earned Income For Non-Contractual School Employees	
112.1.137	Termination of Employment	
112.1.138	Transitional Payments (Repealed)	
112.1.140	Exempt Earned Income	
112.1.141	Earned Income Exemption	
112.1.142	Exclusion From Earned Income Exemption	
112.1.143	Recognized Employment Expenses	
112.1.144	Income from Work-Study and Training Programs	
112.1.145	Earned Income From Self-Employment	
112.1.146	Earned Income From Roomer and Boarder	
112.1.147	Income From Rental Property	
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112.1.149	Earned Income In-Kind	
112.1.150	Assets	
112.1.151	Exempt Assets	
112.1.152	Asset Disregards	
112.1.153	Deferral of Consideration of Assets	
112.1.154	Property Transfers (Repealed)	
112.1.155	Income Limit	

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to 8/22/96
 112.308 Responsibility of Sponsors of Non-Citizens Entering the Country on or After 8/22/96
 112.309 Institutional Status
 112.310 Child Care for Representative Payees
 112.315 Young Parent Program (Renumbered)
 112.320 Redetermination of Eligibility
 112.330 Extension of Medical Assistance Due to Increased Income from Employment
 112.331 Four Month Extension of Medical Assistance Due to Child Support Collections
 112.332 Extension of Medical Assistance Due to Loss of Earned Income Disregard (Repealed)
 112.340 New Start Payments to Individuals Released from Department of Corrections Facilities (Repealed)

SUBPART J: CHILD CARE

112.350 Child Care (Repealed)
 112.352 Child Care Eligibility (Repealed)
 112.354 Qualified Provider (Repealed)
 112.356 Notification of Available Services (Repealed)
 112.358 Participant Rights and Responsibilities (Repealed)
 112.362 Additional Service to Secure or Maintain Child Care Arrangements (Repealed)
 112.364 Rates of Payment for Child Care (Repealed)
 112.366 Method of Providing Child Care (Repealed)
 112.370 Non-JOBS Education and Training Program (Repealed)

SUBPART K: TRANSITIONAL CHILD CARE

112.400 Transitional Child Care Eligibility (Repealed)
 112.404 Duration of Eligibility for Transitional Child Care (Repealed)
 112.406 Loss of Eligibility for Transitional Child Care (Repealed)
 112.408 Qualified Child Care Providers (Repealed)
 112.410 Notification of Available Services (Repealed)
 112.412 Participant Rights and Responsibilities (Repealed)
 112.414 Child Care Overpayments and Recoveries (Repealed)
 112.416 Fees for Service for Transitional Child Care (Repealed)
 112.418 Rates of Payment for Transitional Child Care (Repealed)

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134,

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effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted

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and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective

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August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13652, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; amended at 16 Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 16 Ill. Reg. 20147, effective December 14, 1992; amended at 17 Ill. Reg. 357, effective December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 25, 1993; emergency amendment at 17 Ill. Reg. 6325, effective April 9, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6792, effective April 21, 1993; amended at 17 Ill. Reg. 15017, effective September 3, 1993; amended at 17 Ill. Reg. 19156, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 19696, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 5909, effective March 31, 1994; amended at 18 Ill. Reg. 6994, effective April 27, 1994; amended at 18 Ill. Reg.

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8703, effective June 1, 1994; amended at 18 Ill. Reg. 10774, effective June 27, 1994; amended at 18 Ill. Reg. 12805, effective August 5, 1994; amended at 18 Ill. Reg. 15774, effective October 17, 1994; expedited correction at 19 Ill. Reg. 998, effective October 17, 1994; amended at 19 Ill. Reg. 2845, effective February 24, 1995; amended at 19 Ill. Reg. 5609, effective March 31, 1995; amended at 19 Ill. Reg. 7883, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 10206, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 12011, effective August 7, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 12664, effective September 1, 1995; emergency amendment at 19 Ill. Reg. 15244, effective November 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15661, effective November 3, 1995; emergency amendment at 19 Ill. Reg. 15839, effective November 15, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 16295, effective December 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 3538, effective February 15, 1996; amended at 20 Ill. Reg. 5648, effective March 30, 1996; amended at 20 Ill. Reg. 6018, effective April 12, 1996; amended at 20 Ill. Reg. 6498, effective April 29, 1996; amended at 20 Ill. Reg. 7892, effective June 1, 1996; emergency amendment at 20 Ill. Reg. 12499, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 14820, effective November 1, 1996; amendment at 20 Ill. Reg. 15983, effective December 9, 1996; emergency amendment at 21 Ill. Reg. 662, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 940, effective January 7, 1997; amended at 21 Ill. Reg. 1366, effective January 15, 1997; amended at 21 Ill. Reg. 2655, effective February 7, 1997; amended at 21 Ill. Reg. 7391, effective May 31, 1997; emergency amendment at 21 Ill. Reg. 8426, effective July 1, 1997, for a maximum of 150 days; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 21 Ill. Reg. 15597, effective November 26, 1997; emergency amendment at 22 Ill. Reg. 4466, effective February 24, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 12197, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 14420, effective July 24, 1998; amended at 22 Ill. Reg. 14744, effective August 1, 1998; emergency amendment at 22 Ill. Reg. 16365, effective September 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 18082, effective October 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 19840, effective November 1, 1998; emergency amendment at 23 Ill. Reg. 598, effective January 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 942, effective January 6, 1999; emergency amendment at 23 Ill. Reg. 1133, effective January 7, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 1682, effective January 20, 1999; emergency amendment at 23 Ill. Reg. 5881, effective May 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 6958, effective May 30, 1999; amended at 23 Ill. Reg. 7091, effective June 4, 1999; amended at 23 Ill. Reg. 7896, effective July 1, 1999; emergency amendment at 23 Ill. Reg. 8672, effective July 13, 1999 for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 10530, effective August 1, 1999 for a maximum of 150 days.

SUBPART C: TANF EMPLOYMENT AND WORK ACTIVITY REQUIREMENTS

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Section 112.78 TANF Employment and Work Activities

a) Education (Below Post-Secondary)

Participants who are not working are limited to Adult Basic Education/GED/BSL and short-term Vocational Training programs lasting less than two years and may be required, in coordination with the education schedule, to participate in Job Readiness activities, job skills training, Job Search, and/or Work Experience at the same time they are attending the education/training program to the extent resources will allow. Co-enrollment in Adult Basic Education/GED/BSL and Vocational Training is encouraged. In this activity, the individual receives information, referral, counseling services and supportive services to increase the individual's employment potential. Participants may be referred to testing, counseling and education resources. Educational activities will include basic and remedial education; English proficiency classes; high school or its equivalency (for example, GED) or alternative education at the secondary level; and with any educational program, structured study time to enhance successful participation.

1) Assignment to Education (Below Post-Secondary)

- A) Individuals to be assigned to Education may include but are not limited to individuals:
- i) who do not have a high school degree or equivalent;
 - ii) who have limited English proficiency; and
 - iii) who do not read at or above a 9.0 grade level.
- B) Educational activities may be combined with other activities if it is determined appropriate.

2) Approval criteria for education (Below Post-Secondary)

- A) The program selected by the individual must be accredited under State law.
- B) The individual's program must be needed for the participant to complete his or her Responsibility and Services Plan.
- C) The individual must be enrolled full-time as defined by the institution or part-time if a full-time program is not available or appropriate.
- D) When programs of comparable quality are available in more than one geographical area, the program selected will be the least costly in supportive service costs to the Department. When programs of comparable quality are available in the same geographical area, the individual may select a preferred program.

3) Participation Requirements

- A) Participation must be full-time unless a full-time program is not readily available or a part-time program is most appropriate based on the individual's or family's circumstances.
- B) Clients attending a program administered by the Illinois State Board of Education (ISBE) must maintain satisfactory

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progress as determined by the following:

- i) active participation and pursuit of educational objectives;
 - ii) teacher's written remarks;
 - iii) grades;
 - iv) demonstrated competencies;
 - v) classroom exercises; and
 - vi) periodic test/retest results.
- C) ISBE educational providers determine satisfactory progress based on a combination of the indicators listed above and test/retest results. The determination of satisfactory progress including test/retest results must be reported upon completion of the academic term or twice a year if the program is continuous for 12 months.
- D) Clients attending a program not administered by ISBE must maintain satisfactory progress as determined by the written policy of the institution. The determination of satisfactory progress including test/retest results must be reported upon completion of the academic term or twice a year if the program is continuous for 12 months.
- E) Curriculum changes must be made with the prior approval of TANSF staff and will be approved when the change is consistent with the Responsibility and Services Plan.
- F) Except for individuals attending high school, participation in Education (Below Post-Secondary) is limited to 24 months except that the individual may continue in the education program if he or she also works for at least 20 hours each week and the combined hours of work plus credit hours or class hours, as appropriate, equal at least 25 hours each week. Months in which the individual establishes good cause (see Section 112.80) for not participating in the program will not count toward the 24-month limit.

b) Vocational Training

Vocational Training is designed to increase the individual's ability to obtain and maintain employment. Vocational Training activities will include vocational skill classes designed to increase a participant's ability to obtain and maintain employment. Vocational Training may include certificate programs. Participants who are not working are limited to short-term Vocational Training programs lasting less than two years and may be required, in coordination with the education/training schedule, to participate in Job Readiness activities, job skills training, Job Search, and/or Work Experience at the same time they are attending the education/training program to the extent resources will allow.

1) Approval Criteria For Vocational Training

- A) The individual's program must be accredited under requirements of State law.
- B) The individual must be underemployed or unemployed and in

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need of additional training and the training will better prepare the participant to enter the labor force.

- C) Co-enrollment in Adult Basic Education/GED/ESL and Vocational Training is encouraged if the individual does not have a high school diploma or GED.
 - D) The individual must apply for all available educational benefits such as the Pell Grant and scholarships from the Illinois Student Assistance Commission as well as any scholarship or grants identified by the education or training facility for which the participant may be eligible. The individual must be enrolled full-time as defined by the institution or part-time if full-time is not available or appropriate.
 - F) Clients who are working at least 20 hours per week and whose combined work plus credit hours or class hours, as appropriate, equal at least 25 hours per week may be approved for vocational training after the two-year limitation.
 - G) The individual must be in a program needed for the individual to obtain employment in a recognized occupation. Jobs must be available in the chosen field in a specific geographical area where the individual intends to work consistent with the individual's Responsibility and Services Plan upon completion.
 - I) When programs of comparable quality are available in more than one geographical area, the program selected will be the least costly in supportive service costs to the Department. When programs of comparable quality are available in the same geographical area, the individual may select a preferred program.
 - J) Vocational Training may be combined with other activities if it is determined appropriate.
 - K) The individual must possess the aptitude, ability and interest necessary for success in the selected program as determined by such factors as test results and educational/training background.
- 2) Participation Requirements
- A) Participation must be full-time unless a full-time program is not readily available or a part-time program is most appropriate based on the individual's or family's circumstances.
 - B) The individual must maintain a "C" average if this measurement is used by the institution to determine satisfactory progress. The individual will be allowed one semester below a "C" average to bring the grades up to a "C" average. When grades are not used, progress will be determined by the written policy of the institution to establish a comparable grade level upon completion of the

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- academic term.
- C) The individual must participate the assigned number of hours each week.
- D) The client must complete all scheduled program enrollment hours each academic term to maintain satisfactory progress, except in the following situation. If the client withdraws from one or more scheduled courses during an academic term, the client must complete all scheduled enrollment hours during the following academic term. The client may withdraw from one or more scheduled classes in more than one academic term, but must complete all scheduled enrollment hours the following academic term to maintain satisfactory progress.
- E) Curriculum changes must be made with the prior approval of TANF and will be approved when the change is consistent with the Responsibility and Services Plan.
- c) Job Readiness
- 1) The Job Readiness activities are designed to enhance the quality of the individual's level of participation in the world of work while learning the necessary essentials to obtain and maintain employment. These activities help individuals gain the necessary job finding skills to help them find and retain employment that will lead to economic independence.
 - 2) Assignment to Job Readiness
Job Readiness activities may be combined with other activities if it is determined appropriate.
 - 3) Participation requirements
 - A) Participation must be full-time unless a full-time program is not readily available or a part-time program is most appropriate based on the individual's or family's circumstances.
 - B) The individual must attend all scheduled classes or sessions. The individual must be making satisfactory progress as defined by the written policy of the job readiness provider and approved by the Department. If there is a job search activity in the program, the individual must make up to ten acceptable employer contacts in a 30 day period unless the participant shows good faith effort (see subsection (d)(3)(B) of this Section for the definition of "good faith effort").
 - C) The individual must participate the number of assigned hours each week.
 - D) The individual must respond to a job referral, accept employment and respond to mail-in contact.
- d) Job Search
- 1) Description of Job Search
Job Search may be conducted individually or in groups. Job Search may include the provision of counseling, job seeking skills, training and information dissemination. Group Job Search

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- may include training in a group session.
- 2) Assignment to Job Search
 - A) If assessed as job ready, participants will be assigned to Job Search. If job ready clients are unable to find employment on their own, they will be reassessed and may be placed in a more appropriate activity within six months.
 - B) Individuals completing education or vocational training or Job Readiness training may be assigned to Job Search.
 - C) Job Search may be combined with other activities if it is determined appropriate.
 - 3) Participation Requirements
 - A) Participants must attend all scheduled classes or sessions. Participants will be notified in writing of all meetings.
 - B) Individuals must contact employers in an effort to secure employment. Participants must make up to 20 acceptable employer contacts in a 30-day period.
 - C) Acceptable employer contacts may include but are not limited to:
 - i) a face-to-face contact with an employer or the employer's representative;
 - ii) the completion and return of an application to an employer;
 - iii) the completion of a civil service test required for employment with state, local, or the federal government or the completion of a Department of Employment Security (DES) screening test;
 - iv) the completion and mailing of a resume with a cover letter to a recognized employer;
 - v) reporting to the union hall for union members verified to be in good standing; or
 - vi) registration with DES/Illinois Employment and Training Center (IETC).
 - e) Community Work Experience
TANF participants who have not found employment and who need orientation to work, work experience or training are placed on a supervised work assignment to improve their employment skills through actual work experience at private or not-for-profit employers, organizations and governmental agencies. Participants are referred to work assignments as vacancies are available. Participants in Work Experience may perform work in the public interest (which otherwise meets the requirements of this Section) such as enrollment as a full-time VISTA volunteer or Job Corps participant under Title I of the 1973 Domestic Volunteer Services Act (42 USC 4951 et seq.) for a Federal office or agency with its consent, and, notwithstanding (31 USC 1342) or any other provision of law, such agency may accept such services but such participants shall not be considered to be Federal employees for any purpose.
 - 1) Assignment to Community Work Experience

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- A) Community Work Experience is for:
- participants who will benefit from working for an employer who provides a subsidized employment assignment to improve the individual's opportunity to attain self-sufficiency; or
 - participants who need experience to prevent deterioration of, or to enhance, existing skills (for example, typing).
- B) Entry into Community Work Experience
- Participants are determined to be appropriate for Community Work Experience activity based on an assessment of their education, training and employment history. Procedures used in the assessment are a face-to-face meeting with the participant and a review of all available information on the participant (including, but not limited to, the individual's case record and Responsibility and Services Plan).
- C) Community Work Experience Positions
- Participants shall be assigned to a Community Work Experience position to increase the potential for attaining employment. The date participants are scheduled to begin the work assignment marks the beginning of participation in Community Work Experience.
- Community Work Experience activities may be combined with other activities if it is determined appropriate.
- D) Enrollment as a full-time VISTA volunteer or Job Corps participant under Title I of the 1973 Domestic Volunteer Services Act (42 USC 4951 et seq.) is an allowable work activity. Paid work study and some paid JTPA programs are also allowable.
- 2) Participation Requirements
- The hours of the work assignment for a calendar month shall not exceed the family's monthly TANF grant and food stamp allotment divided by the higher of the State or Federal minimum wage.
 - During work assignment, participants shall be required to perform Job Search activities unless a participant is in an education and training program. Participants are required to accept bona fide offers of employment pursuant to Section 112.72.
 - Participants are also required to report as scheduled and on time to their work assignment Sponsor when notified of an assignment. When they cannot report to their work assignment or if they will be late, they are to immediately notify their work assignment Sponsor.
 - Participants must participate the number of assigned hours each week.
- 3) Review
- Every six months, the participant's Responsibility and Services

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- Plan will be reviewed. If continuing the work assignment will benefit participants in terms of furthering work skills (see subsections (e)(1)(A) and (B)), participants shall be reassigned to the same or another work assignment. In addition, participants will be assessed for assignment to another TANF activity.
- Length of Assignment
 - Participants must participate in Work Experience for as long as the Responsibility and Services Plan reflects the need for this activity.
 - Anti-displacement
 - Community Work Experience is subject to the provisions of Section 112.78(q).
 - On the Job Training (OJT)
- In OJT, a participant is hired by a private or public employer and while engaged in productive work receives training that provides knowledge or skills essential to full and adequate performance of the job.
- Assignment to OJT
 - Job ready individuals may be assigned to OJT.
 - OJT participants shall be compensated at the same rate and with the same benefits as other employees.
 - Wages to participants in OJT shall not be less than the higher of the State or Federal minimum wage.
 - Wages to participants in OJT are considered earned income.
 - OJT may be combined with other component activities if it is determined appropriate.
 - Participation Requirements
 - The individual must participate the assigned number of hours each week.
 - Supportive Services
 - Participants in OJT receive child care and Medicaid benefits.
 - Work Supplementation Program
 - The Work Supplementation Program develops employment opportunities for TANF recipients by paying wage subsidies to employers who hire program participants. The program is funded by diverting the cash grant an individual would receive if not employed and using the diverted grant to pay a wage subsidy to the employer who hires the recipient. The goal of the Work Supplementation Program is to obtain jobs for TANF recipients, who might not be hired without a subsidy, with sufficient pay to take them off TANF.
 - Eligible Participants
 - TANF participants who meet the selection criteria listed in subsection (g)(2)(B) of this Section are eligible to participate in the Work Supplementation Program. Participation in the program is voluntary. A TANF recipient who wants to participate in the Work Supplementation Program

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must agree to all provisions in this Section during the time of participation in the program.

- B) In order to place special emphasis on people who would not be likely to obtain a job without work supplementation, TANF recipients must meet the following criteria for selection to participate in the Work Supplementation Program:

- i) the recipient must be the parent of at least one of the children in the TANF unit;
- ii) the recipient must have completed the Job Search work activity; and
- iii) the recipient must have no income other than TANF benefits.

- C) Recipients identified for employment must be determined eligible for participation by their worker. The worker will recommend for participation in the Work Supplementation Program those participants who are likely to encounter difficulty in obtaining employment (for example, lack of skills for which jobs are available in the area, lack of work history).

- D) Nothing in this Section should be construed as providing any recipient the right to participate in the program.

3) Benefits and Reporting Requirements While Participating in the Work Supplementation Program

- A) Participants in the Work Supplementation Program are considered to be TANF recipients and remain eligible for Medical Assistance for the duration of their Work Supplementation Program participation. Child care, for cases that are eligible for a cash grant, will be regarded as employment child care.

- B) The participant must agree to accept wages from employment, which will be at least an amount which would be earned by working full time (30 hours minimum) at the prevailing minimum wage, less applicable payroll taxes.

- C) Participants are required to file quarterly reports as a requirement for continuing eligibility. Changes in income from sources other than the Work Supplementation Program job and/or circumstances must still be reported within five days after occurrence pursuant to 89 Ill. Adm. Code 102.50.

- D) Wages paid under a Work Supplementation Program shall be considered to be earned income for purposes of any provision of law (42 USC 1614(e)(3)).

4) Duration of Program Participation

- A) Participants may not exceed a total of six months in the Work Supplementation Program subsidized placements regardless of the number of times an individual becomes a TANF recipient. The period of a single assignment is dependent upon the terms of the Work Supplementation Program contract that has been developed with the employer.

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Recipients will be informed of the length of the Work Supplementation Program subsidy period prior to placement.

- B) Participants who leave a supported work position without good cause (as defined in Section 112.80) are removed from the Work Supplementation Program and are subject to sanction.

5) Contracts with Employers

- A) Employers that participate in the Work Supplementation Program must enter into a written contract with the Department prior to receiving referrals.
- B) Employers must be in good standing (that is, in compliance with all applicable federal, State, county and local laws, regulations and ordinances) with the Illinois Department of Revenue, the Secretary of State and any and all regulatory agencies which have jurisdiction over their activities.
- C) Employers agree to screen clients to hire on their own payroll after six months. Failure to do so will result in the employer being terminated from the program.

6) Calculation of the Diverted Grants

- A) The level of grant to be diverted is determined on a prospective basis when a work assignment under the Work Supplementation Program is made. The effective date of the diverted grant is the first day of the first full month of Work Supplementation Program wages.
- B) Work Supplementation Program participants are eligible only for the earned income budgeting disregards provided in Sections 112.141 and 112.143. The difference between the flat grant amount and revised amount is diverted to the wage pool.
- C) The difference between the payment level and the grant the participant receives is diverted and used in whole or in part to pay a wage subsidy to the employer.

7) Program Completion

If the participant is no longer eligible for TANF benefits after the Work Supplementation Program period, a determination of continued medical eligibility shall be made in accordance with Section 112.330.

8) Anti-Displacement

The Work Supplementation Program is subject to the provisions of Section 112.78(g).

h) Post-Secondary Education

Clients who are not working will not be approved for degree programs unless they can complete the program in one year or less. Clients who are working at least 20 hours per week and whose combined work plus credit hours or class hours as appropriate, equal at least 25 hours per week may be approved for post-secondary education programs beyond the one year limitation. Post-secondary education must be administered by an educational institution accredited under

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requirements of State law including, but not limited to, the Barber, Cosmetology and Esthetics Act of 1985 [225 ILCS 410], the Real Estate License Act of 1983 [225 ILCS 455], the Public Community College Act [110 ILCS 805], the University of Illinois Act [110 ILCS 305], the Chicago State Universities Law [110 ILCS 660], the Eastern Illinois University Law [110 ILCS 665], the Governors State University Law [110 ILCS 670], the Illinois State University Law [110 ILCS 675], the Northeastern Illinois University Law [110 ILCS 680], the Northern Illinois University Law [110 ILCS 685], the Western Illinois University Law [110 ILCS 690] and the Southern Illinois University Name Change Act [110 ILCS 505].

1) Approval Criteria For Post-Secondary Education

- A) The individual must have a high school diploma or a GED.
- B) Approval of post-secondary education is part of the process of developing the Responsibility and Services Plan (RSP) with the client. Factors to consider when determining whether post-secondary education is appropriate include, but are not limited to, the client's educational and work history, the client's aptitude for further education, the client's career goal, the client's ability to finance tuition and other expenses not provided by the Department, and the client's ability to arrange transportation, child care and other family obligations. ~~The individual must possess the aptitude, ability, and interest necessary for success in the selected program as determined by such factors as test results and educational/training background.~~
- C) The individual must be enrolled full-time as defined by the institution or part-time if a full-time program is not available or appropriate to upgrade skills for current employment.
- D) The individual must be in a program needed for the individual to obtain employment in a recognized occupation or upgrade skills for current employment.
- E) The individual does not already possess a baccalaureate degree or an associate degree if the Responsibility and Services Plan goal is an associate degree.
- F) If the participant possesses a baccalaureate degree, no additional education may be approved.
- G) The individual's program must be accredited under requirements of State law.
- H) If needed, the individual must apply for all available educational benefits such as the Pell Grant and scholarships from the Illinois Student Assistance Commission as well as any scholarship or grants identified by the education or training facility for which the participant may be eligible.
- I) Jobs, consistent with the individual's Responsibility and Services Plan, must be available in the chosen field in a specific geographical area where the individual intends to

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work upon program completion.

- J) When programs of comparable quality are available in more than one geographical area, the program selected will be the least costly in supportive service costs to the Department. When programs of comparable quality are available in the same geographical area, the individual may select a preferred program.
- K) The program selected may be no more than a program that will result in the receipt of a baccalaureate degree consistent with the Responsibility and Services Plan.
- L) For category 04 cases, the individual, unless exempted under (h)(1)(N) of this Section, ~~unless-enrolled-in-a program-that-will-be-completed-in-one-year-or-less~~ must also be employed in unsubsidized work for at least 20 hours each week or be participating for at least 20 hours per week in one or more of the following paid or unpaid work activities:
 - i) work study;
 - ii) practicums, clinicals, or vocational internships such as student teaching, if required by the institution to complete the educational program;
 - iii) apprenticeships;
 - iv) self-employment; or
 - v) enrollment as a full-time Americorps VISTA volunteer or Job Corps participant under Title I of the 1973 Domestic Volunteer Services Act (41 USC 4951 et seq.).
 In addition, the combined work or work activities plus credit hours or class hours, as appropriate, must equal at least 25 hours per week.
- M) For category 06 (two parent) cases, the parents in the case must be working or involved in approved work activities for a total of 35 hours per week, individually or combined.
- N) Clients in a category 04 case with an approved RSP for full-time post-secondary education and a cumulative 2.5 or better grade point average (on a 4.0 scale) may not be subject to the minimum work requirement, described in (h)(1)(L) of this Section, as follows:
 - i) For the first semester, while the client is establishing a grade point average, the client will not be subject to the minimum work requirement. If a 2.5 grade point average is not achieved in the first semester, the client will be subject to the minimum work requirement in the second semester.
 - ii) As long as the client's cumulative GPA remains at least 2.5, the client will not be subject to the minimum work requirement.
 - iii) If the client's cumulative GPA falls below 2.5 at any time, the client may continue to go to school full-time for another semester without being subject

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to the minimum work requirement.

- iv) If the cumulative GPA is below 2.5 two semesters in a row, the client will be subject to the minimum work requirement. ~~Individuals who have been continuously enrolled in an approved post-secondary education program prior to July 17, 1997 must comply with the 20 hour per week work requirement by the end of the fall 1997 semester, or the activity will not be approved for the spring 1998 semester.~~

OJN) Individuals who lose employment, unless due to a temporary scheduled employer shutdown, can continue in post-secondary education and receive supportive services, if eligible, during the current semester while they seek employment. If the individual has not reentered employment ~~the State TANF Work Requirement level~~ by the end of the current semester, the individual will not continue in post-secondary education and receive supportive services, but will be reassigned to another appropriate activity.

2) Participation Requirements

A) The individual must maintain a "C" average if this measurement is used by the institution to determine satisfactory progress. The individual would be allowed one semester below a "C" average to bring the grades up to a "C" average. When grades are not used, satisfactory progress will be determined by the written policy of the institution to establish a comparable grade level upon completion of the academic term.

B) The client must complete all scheduled program enrollment hours each academic term to maintain satisfactory progress, except in the following situation. If the client withdraws from one or more scheduled courses during an academic term, the client must complete all scheduled enrollment hours during the following academic term. The client may withdraw from one or more scheduled classes in more than one academic term but must complete all scheduled enrollment hours the following academic term to maintain satisfactory progress.

C) Curriculum changes must be made with the approval of the TANF worker and will be approved when the change is consistent with the Responsibility and Services Plan.

i) Job Development and Placement (JDP)

1) TANF staff shall develop through contacts with public and private employers unsubsidized job openings for participants. Job interviews will be secured for clients by the marketing of participants for specific job openings.

2) Assignment to JDP

Job ready individuals may be assigned to JDP.

j) Job Retention

Job Retention is designed to assist participants in retaining

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employment. Job Retention expenses are provided. The individual's supportive service needs are assessed and the individual receives counseling regarding Job Retention skills. Counseling or job coaching may continue after employment begins as long as the individual continues to receive TANF.

k) Self-Employment

Self-employment activities will increase the individual's ability to start and maintain a business. Self-employment activities will include self-employment development training programs and technical assistance programs. In order to be approved in the self-employment component, the self-employment development plan must be approved.

1) Assignment to Self-Employment

Applicants must have a GED or high school diploma, some work experience and/or proven ability or have a plan that indicates success can be obtained without these requirements.

2) Participation Requirements

Participants must participate in the assigned number of hours.

1) Unstructured Community Service

Unstructured Community Service provides TANF participants with activities that emphasize and build on the individual's job seeking confidence by positively reinforcing the achievement of each small step gained in his or her successful advances toward employment. Activities may include volunteer work as well as job search contacts. Activities are closely monitored for compliance and for tracking the length of time that participants are assigned to Unstructured Community Service. At the reassessment the participant is assigned to the more structured work experience activity or Work First when the participant becomes more job ready. Participants are required to document their Job Search and Community Service activities. Activities must be at the State TANF Work Requirement level or as assigned by their Responsibility and Services Plan.

m)

1) Selection of Participants

TANF cash recipients whose youngest child is age 13 or older shall be required to participate in TWI and must seek and accept employment as part of the TANF activity requirement, unless the recipient is excused for one of the following reasons (other TANF exemption reasons listed in Section 112.71 do not apply to the TWI population):

A) The recipient is temporarily ill or chronically ill.

i) An individual is temporarily ill when determined by the local office, on the basis of medical evidence (for example, a statement from a medical provider) or on another sound basis, that the illness or injury is serious enough to temporarily prevent the individual from engaging in employment or participating in a work activity. A sound basis for exemption on a temporary basis includes but is not limited to: the observation

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of a cast on a broken leg or the client provides information of a scheduled surgery or recuperation from surgery. Minor ailments and injuries, such as colds, broken fingers or rashes are not serious enough normally to exempt the individual under this criterion.

ii) An individual is chronically ill or incapacitated, as determined by the local office, when a physician or licensed or certified psychologist finds that a physical or mental impairment, either by itself or in conjunction with age or other factors, prevents the individual from engaging in employment or participating in a work activity. This includes a 12 week period of recuperation after childbirth.

iii) When an individual is determined either temporarily or chronically ill or incapacitated, the exclusion shall continue until further action is taken by the Department. When the exemption is initially granted, the Department will establish a date as to when the condition warranting the exemption is expected to end or, upon case review, the exemption will be reevaluated to determine whether the exempted individual continues to be exempt under the same procedures as for the initial determination of exemption with appropriate notice to the individual that the reevaluation is necessary.

B) The recipient provides full-time care for another household member due to that person's medical condition or incapacity.

2) Work or Work First at 24 Months

A) When the participant has been in TWI for 24 months, the participant must be working or in Work First to qualify the family for TANF, unless the participant is excused for one of the reasons in Section 112.78(m)(1). A participant who has been in TWI for 24 months who fails to cooperate with Work First shall make the family ineligible for TANF rather than be subject to sanction.

B) Beginning with the first month in TWI, the addition to the household of a child under age 13 or the birth of a child more than 10 months later shall not extend the 24-month period.

3) Participation Requirements

During the 24-month eligibility period, participants must cooperate with the requirements of the TANF program as described in Section 112.72. Participants who fail to cooperate shall be subject to sanction.

4) Sanctions

A) Reconciliation (see Section 112.77) will be attempted with participants who fail to meet participation requirements

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without good cause (see Section 112.80).

B) When reconciliation is unsuccessful, the TANF sanctions will apply (see Section 112.79).

5) Activity Assignments for TWI Participants

A) Initial Activity Assignment

Participants will be placed in an appropriate activity.

B) Assignment After 12 Months

i) Participants who have completed their appropriate activity and have not become employed after 12 months will be assigned to the Work First/Pay After Performance program.

ii) Participants in Work First must work at least 80 hours per month (20 hours per week for single-parent cases) or 120 hours per month (30 hours per week for two-parent cases) in an assigned Pay After Performance position to earn their TANF grant and food stamps. If the value of the participant's TANF grant plus food stamps divided by 80 or 120, respectively, does not equal the federal minimum wage, then the hours will be reduced accordingly. If the participant does not work 80 hours per month for single-parent cases or 120 hours per month for two-parent cases, the reduction per hour not worked will be the amount of the grant divided by 80 hours or 120 hours respectively. The maximum number of hours worked cannot exceed the amount of TANF and food stamp allotment divided by the minimum wage.

iii) Participants in Work First must also complete 20 employer contacts each month.

iv) Participants will be assigned to Work First/Pay After Performance until they find unsubsidized employment.

A review will be conducted every six months to determine appropriateness of assignment, if work skills are being gained and if the opportunity for placement exists.

v) The Department will develop Work First/Pay After Performance positions with private employers or not-for-profit or public agencies and will provide Worker's Compensation coverage for participants.

vi) Work First/Pay After Performance for TWI participants is subject to the provisions of Section 112.78(q).

vii) Individuals who fail to participate, without good cause, are determined to have not availed themselves of the Work First opportunity. If good cause is not determined, the entire case is ineligible for TANF assistance. Upon reapplication for TANF, the individual may be reassigned to a Work First position.

6) Failure to participate is determined to have occurred:

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- A) if the participant does not report to the provider or employer. Participants are deemed to have failed to report if they have not contacted the provider or employer in person, by telephone or mail, or by a third party; or
- B) if the participant has engaged in misconduct connected with the Work First assignment. The term "misconduct" means deliberate and willful violation of a reasonable rule or policy of the employer governing the individual's behavior in performance of work, provided such violation has harmed the employer or other employees or has been repeated by the individual despite a warning or the explicit instruction from the employer.
- n) Work First/Pay After Performance for Non-TWI Participants
- 1) Participants who are not in TWI and quit employment without good cause or lose employment for reasons entirely out of their control (for example, plant closings or layoffs) will be required to participate in Work First/Pay After Performance for six months or until they obtain employment to the extent slots exist. To the extent that resources allow, job ready clients will also be targeted for Work First/Pay After Performance slots.
 - 2) Individuals in a TANF case, assigned to Work First, must participate in Work First an average of at least 20 hours each week to earn their TANF grant and food stamps plus 5 employer contacts per week. If the participant does not work 80 hours per month, the reduction per hour not worked will be the amount of the grant divided by 80 hours.
 - 3) Nonexempt individuals in a two-parent TANF case must participate an average of at least 30 hours each week in Work First and 5 employer contacts per week. If the individuals do not work 120 hours per month, the reduction per hour not worked will be the amount of the grant divided by 120 hours.
 - 4) If the value of the participant's TANF grant plus food stamps divided by 80 or 120, respectively, does not equal the federal minimum wage, then the hours will be reduced accordingly.
 - 5) Participants will be assigned to Work First/Pay After Performance until they find unsubsidized employment. An assessment will be conducted every six months to determine appropriateness of assignment, if work skills are being gained and if the opportunity for placement exists.
 - 6) The Department will develop Work First/Pay After Performance positions with private employers or not-for-profit or public agencies. The Department shall provide Worker's Compensation coverage for participants. The Department will ensure all applicable employer safety laws are met for Work First/Pay After Performance assignments. Failure of an employer to do so will result in termination of the contract.
 - 7) Work First/Pay After Performance for non-TWI participants is subject to the provisions of subsection (q) of this Section.

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- 8) Individuals who fail to participate, without good cause, are determined to have not availed themselves of the Work First opportunity. If good cause is not determined, the entire case is ineligible for TANF assistance. Upon reapplication for TANF, the individual may be reassigned to a Work First position.
- 9) Failure to participate is determined to have occurred:
- A) if the participant does not report to the provider or employer. Participants are deemed to have failed to report if they have not contacted the provider or employer in person, by telephone or mail, or by a third party; or
 - B) if the participant has engaged in misconduct connected with the Work First assignment. The term "misconduct" means deliberate and willful violation of a reasonable rule or policy of the employer governing the individual's behavior in performance of work, provided such violation has harmed the employer or other employees or has been repeated by the individual despite a warning or the explicit instruction from the employer.
- c) Substance Abuse
- 1) Selection of Participants

If alcohol or substance abuse is suspected as a barrier to employment during the family assessment process or at an intake interview, the client will be referred for a clinical assessment by an alcohol/substance abuse counselor. If treatment is indicated, the client will be required to follow-up as a condition of eligibility, unless the client is employed more than 30 hours per week or if treatment resources are not available.
 - 2) Work Activity

Clients participating in alcohol/substance abuse treatment in accordance with their Responsibility and Services Plan are participating in a work activity.
 - 3) Supportive Services

Supportive services, i.e., child care and transportation, will be provided to enable clients' participation in treatment, to the extent resources are available.
 - 4) Sanctions
 - A) Reconciliation will be attempted with clients who fail to cooperate with their treatment plan. Cooperation with the treatment plan will be defined by the alcohol/substance abuse provider, based on uniform guidelines.
 - B) When reconciliation is unsuccessful, the TANF sanctions will apply.
- p) Domestic Violence
- 1) Selection of Participants

All clients receiving TANF will have a family assessment completed. If domestic violence is a barrier to employment, the client will be referred to a domestic violence service provider.
 - 2) Work Activity

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Clients participating in domestic violence abuse treatment are in accordance with their Responsibility and Services Plan and are participating in a work activity.

3) Supportive Services

Supportive Services, i.e., child care and transportation, will be provided to enable clients' participation in treatment, to the extent resources are available.

4) Sanctions

If the individual does not comply with the Responsibility and Services Plan relating to domestic violence, a sanction will not be imposed. The Responsibility and Services Plan will be reviewed, and other work related activities will be developed. Compliance will be required for the new activities.

q) Anti-Displacement and Grievance Procedure

1) An employer may not utilize a work activity participant if such utilization would result in:

- A) the displacement or partial displacement of current employees, including but not limited to a reduction in hours of non-overtime or overtime work, wages, or employment benefits; or
- B) the filling of a position that would otherwise be a promotional opportunity for current employees; or
- C) the filling of a position created by or causing termination, layoff, a hiring freeze, or a reduction in the workforce; or
- D) the placement of a participant in any established unfilled vacancy; or
- E) the performance of work by a participant if there is a strike, lockout, or other labor dispute in which the employer is engaged.

2) An employer who wishes to utilize work activity participants shall notify the appropriate labor organization in accordance with the applicable State statute [305 ILCS 5/9A-13].

3) Participants, other employees at the work site or their representative, may file a grievance with the Department if they believe the participant's work assignments are causing displacement. In order for the Department to consider a grievance, it must be in writing and contain the following information:

- A) the name and address of the participant or other employee at the work site (the grievant);
 - B) the participant's case number (if grievant is participant);
 - C) the grievant's Social Security number;
 - D) Work Experience (work site); and
 - E) a statement as to why the grievant believes the participant is causing displacement.
- 4) Within ten days after receipt of a written grievance, the Department shall arrange an in-person conference with:
- A) the grievant;

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- B) the grievant's representative, if any;
- C) the Work Experience Sponsor;
- D) the Work Experience Sponsor's representative, if any; and
- E) the Department's representative.

5) At the in-person conference, the Department shall solicit and receive from the grievant and the Work Experience Sponsor any documents and statements relevant to the matters alleged in the grievance. The Work Experience Sponsor shall provide whatever documents or other information is requested by the grievant and/or the Department.

6) Within 15 days after the in-person conference, the Department shall advise the participant or other employee at the work site and the Work Experience Sponsor in writing of the information obtained in the investigation and of the findings and conclusions as to the matters alleged in the grievance.

7) If the Department concludes that displacement occurred (as described in subsection (q)(1) of this Section), the Department shall terminate the participant's assignment to that Work Experience Sponsor. If the Department concludes, as a result of the evidence presented at the conference, that the Work Experience Sponsor has caused displacement by use of TANF participants in addition to the participants involved in the grievance, the Department shall terminate those TANF participants' assignment to that work assignment Sponsor.

8) The Department, its employees or the Work Experience Sponsor shall not retaliate for filing a grievance or otherwise proceeding under this policy. Retaliation will result in the termination of the Work Sponsor contract.

(Source: Amended at 23 Ill. Reg. 12648, effective SEP 27 1999)

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Public Information, Rulemaking and Organization

2) Code Citation: 2 Ill. Adm. Code 2075

3) Section Numbers: Adopted Action:
2075.10 Amendment

4) Statutory Authority: 5 ILCS 100/5-15 and 235 ILCS 5/3-12(a)(2)

5) Effective Date of Rulemaking: October 4, 1999

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: Not required for an amendment for an address change under Section 5-15 of the Illinois Administrative Procedure Act.

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference between proposal and final version: Not applicable for an amendment for an address change under Section 5-15 of the Illinois Administrative Procedure Act.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No changes requested.

13) Will this rulemaking replace an emergency amendment currently in effect?
No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: To correct the address for the Springfield office.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: Anne T. Treonis, Legal Counsel
Address: Illinois Liquor Control Commission
100 W. Randolph St., Suite 5-300
Chicago, IL 60601
Telephone: 312/814-2604 or anne.treonis@cms.state.il.us

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF ADOPTED AMENDMENTS

The full text of the adopted amendment begins on the next page:

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION
 SUBTITLE E: MISCELLANEOUS STATE AGENCIES
 CHAPTER XXIV: ILLINOIS LIQUOR CONTROL COMMISSION

PART 2075

PUBLIC INFORMATION, RULEMAKING AND ORGANIZATION

SUBPART A: PUBLIC INFORMATION

Section

2075.10 Submissions and Requests

2075.20 Materials Which can be Inspected

SUBPART B: RULEMAKING

Section

2075.100 Current Rulemaking Procedures

SUBPART C: ORGANIZATION

Section

2075.200 Current Description of Agency's Organization

APPENDIX A Rule Making Chart

APPENDIX B Organization Chart

AUTHORITY: Implementing Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/15-16] and authorized by Section 3-12(a)(2) of the Liquor Control Act [235 ILCS 5/3-12(a)(2)].

SOURCE: Public Information Rules adopted at 3 Ill. Reg. 1, p. 177, effective December 26, 1978; Rulemaking Rules adopted at 3 Ill. Reg. 1, p. 173, effective December 26, 1978; amended at 7 Ill. Reg. 7946; effective June 17, 1983; Organization Rules adopted at 3 Ill. Reg. 1, p. 170, effective December 26, 1978; codified at 8 Ill. Reg. 15929; amended at 20 Ill. Reg. 7511, effective June 1, 1996; amended at 23 Ill. Reg. 12677, effective OCT 04 1999.

SUBPART A: PUBLIC INFORMATION

Section 2075.10 Submissions and Requests

The public can obtain information or make submissions or requests on subjects, programs, and activities of the Commission by writing or by phoning or visiting the Commission offices located at 100 West Randolph Street, Chicago, Illinois 60601, or 222 S. College St., 1st FL., 300--West--Monroe--Street, Springfield, Illinois 62704.

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 23 Ill. Reg. 12677, effective OCT 04 1999.)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

1) Heading of the Part: Podiatric Medical Practice Act of 1987

2) Code Citation: 68 Ill. Adm. Code 1360

3) Section Numbers: Adopted Action:

1360.30 Amendment
1360.45 Amendment
1360.50 Amendment
1360.55 Amendment
1360.60 Amendment
1360.65 Amendment
1360.70 Amendment
1360.75 Amendment
1360.90 Amendment
1360.95 New Section

4) Statutory Authority: Podiatric Medical Practice Act of 1987 [225 ILCS 100].

5) Effective Date of Amendments: October 5, 1999

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? Yes

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Date Notice of Proposal Published in Illinois Register: April 16, 1999 23 Ill. Reg. 4379

10) Has JCAR issued a Statement of Objections to these amendments? No

11) Differences between proposal and final version: In Section 1360.70, any course approved or given by a sponsor approved by the Council On Podiatric Medical Education or sponsored by the Illinois Podiatric Medical Association is automatically approved for continuing education. Section 1360.95 has been retitled "Dishonorable, Unprofessional and Unethical Conduct Standards".

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these amendments replace an emergency amendment currently in effect?
No

14) Are there any amendments pending on this Part? No

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15) Summary and Purpose of Amendments: Public Act 90-76 reauthorized the Podiatric Medical Practice Act of 1987. This adopted rulemaking updates various provisions to conform with the Act. Section 1360.95 adds Professional Conduct Standards; the rest of the changes are technical or clean-up.

16) Information and questions regarding this amended Part shall be directed to:

Department of Professional Regulation
Attention: Jean Courtney
320 West Washington, 3rd Floor
Springfield, Illinois 62786
217/785-0813 Fax: 217/782-7645

The full text of the adopted amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1360
 PODIATRIC MEDICAL PRACTICE ACT OF 1987

Section
 1360.10 Statutory Authority (Repealed)
 1360.20 Approved Colleges of Podiatry
 1360.30 Application for Examination
 1360.40 Examination
 1360.45 Application for Licensure on the Basis of Examination
 1360.50 Endorsement
 1360.55 Renewals
 1360.60 Restoration
 1360.65 Temporary Licenses
 1360.70 Continuing Education
 1360.75 Visiting Professor Permits
 1360.80 Definition of "Human Foot" (Repealed)
 1360.85 Advertising
 1360.86 Mandatory Reporting of Impaired Podiatric Physicians by Health Care Institutions

1360.90 Granting Variances
 1360.95 Dishonorable, Unprofessional and Unethical Conduct Standards
 APPENDIX A Curriculum Requirements (Repealed)
 APPENDIX B Clinical Training Requirements (Repealed)

AUTHORITY: Implementing the Podiatric Medical Practice Act of 1987 [225 ILCS 100] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Adopted at 4 Ill. Reg. 50, p. 58, effective December 3, 1980; codified at 5 Ill. Reg. 11053; amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 915, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 6 Ill. Reg. 8402, effective July 2, 1982; amended at 7 Ill. Reg. 7668, effective June 15, 1983; amended at 9 Ill. Reg. 5377, effective April 4, 1985; transferred from Chapter I, 68 Ill. Adm. Code 360 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1360 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2962; amended at 13 Ill. Reg. 4234, effective March 21, 1989; amended at 14 Ill. Reg. 701, effective December 28, 1989; amended at 16 Ill. Reg. 13281, effective August 18, 1992; amended at 18 Ill. Reg. 16433, effective October 21, 1994; amended at 20 Ill. Reg. 10692, effective July 26, 1996; amended at 23 Ill. Reg. 12681, effective 06/05/1999.

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Section 1360.30 Application for Examination

An applicant for the National Board of Podiatric Medical Examiners (NBPME) PM Lexis examination for licensure as a podiatric physician shall file an application with the Department or its designated testing service, on forms supplied by the Department, at least 60 days prior to an examination date. The application shall include:

- a) A complete work history indicating all employment since graduation from an approved podiatric medical program which meets the requirements set forth in Section 1360.20;
 - b) Certification of graduation from an approved podiatric medical program;
 - c) Proof of passage of Part I and Part II of the examination given by the National Board of Podiatric Medical Examiners (NBPME) by NBPME standards. The applicant shall have the scores submitted to the Department or its designated testing service directly from NBPME; and
 - d) Certification, on forms provided by the Department, from the jurisdiction of the United States in which the applicant was originally licensed and is currently licensed, if applicable, stating:
 - 1) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance of the license; and
 - 2) Whether the file on the applicant contains any record of disciplinary actions taken or pending.
- e) The required fee as provided for in Section 18(a)(1)(1) of the Act.

(Source: Amended at 23 Ill. Reg. 12681, effective 06/05/1999.)

Section 1360.45 Application for Licensure on the Basis of Examination

- a) Each applicant for licensure as a podiatric physician in the State of Illinois, pursuant to the Podiatric Medical Practice Act of 1987 [225 ILCS 100] (the Act), shall file an application with the Department which includes:

- 1) A complete work history indicating all employment since graduation from an approved podiatric medical program that meets the requirements set forth in Section 1360.20;
- 2) Certification of graduation from an approved podiatric medical program;
- 3) Proof of passage of Part I and Part II of the examination given by the NBPME by NBPME standards. The applicant shall have the scores submitted to the Department directly from NBPME;
- 4) Proof of successful completion of the PM Lexis examination in accordance with Section 1360.40 of this Part;
- 5) Proof of successful completion of one year of postgraduate training approved by the Council on Podiatric Medical Education

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of the American Podiatric Medical Association (APMA) which includes residency and preceptorship programs; and

6) Certification, on forms provided by the Department, from the jurisdictions in which the applicant was originally licensed and is currently licensed, if applicable, stating:

A) The time during which the applicant was registered in that jurisdiction, including the date of the original issuance of the license; and

B) Whether the file on the applicant contains any record of disciplinary actions taken or pending; and

7) The required fee set forth in Section 18(a)(1) of the Act.

b) An applicant who has successfully completed in another jurisdiction a written clinical competency examination recognized by the Department pursuant to Section 1360.40 shall have the examination scores submitted directly to the Department by the reporting entity.

(Source: Amended at 23 Ill. Reg. 12681, effective Oct 05 1999)

Section 1360.50 Endorsement

a) An applicant for licensure as a podiatric physician who is licensed under the laws of another jurisdiction shall file an application with the Department which shall include:

1) A certification from the jurisdiction of original licensure and current licensure, stating:

A) The time during which the applicant was licensed in that jurisdiction; and

B) Whether the file on the applicant contains any record of disciplinary actions taken or pending;

2) A complete work history indicating all employment since graduation from a program which meets the requirements set forth in Section 1360.20;

3) Certification of successful completion of Parts I and II of the examination given by the NAPME or any other examination which was a requirement of original licensure;

4) Verification of successful completion of one year of post-graduate training which is approved by the Council on Podiatric Medical Education of the APMA and includes a residency or preceptorship for individuals who were licensed after January 1, 1992;

5) ~~A copy of the Act and/or rules which were in effect in the jurisdiction of original licensure;~~

6) Passage of the written clinical competency examination set forth in Section 1360.40; and

7) The required fee set forth in Section 18(a)(1) of the Act; and

8) The Department may, in individual cases, upon recommendation of

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the Director, waive the written clinical competency examination set forth in Section 1360.40 for an applicant by endorsement after full consideration of his/her podiatric education, training and experience, including, but not limited to, whether he/she has achieved special honors or awards, has had articles published in professional journals, has participated in writing textbooks relating to podiatric medicine, and any other attribute that the Director accepts as evidence that such applicant has outstanding and proven ability in podiatry.

b) The Department shall examine each endorsement application to determine whether the requirements in such jurisdiction at the date of licensing were substantially equivalent to the requirements then in force in this State and whether the applicant has otherwise complied with the Act. A copy of the Act and/or rules that were in effect in the jurisdiction of original licensure may be requested to determine equivalency. The Department shall within a reasonable time either issue a certificate of registration by endorsement to the applicant or notify him/her of the reasons for the denial of the application.

(Source: Amended at 23 Ill. Reg. 12681, effective Oct 05 1999)

Section 1360.55 Renewals

a) Every license issued under the Act shall expire on January 31 of each odd numbered year. The holder of a license may renew such license during the month preceding the expiration date thereof by paying the required fee and meeting the continuing education requirements set forth in Section 1360.70.

b) It is the responsibility of each registrant to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee and to renew the license in a timely manner.

c) Practicing or offering to practice on a license that has expired shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 24 of the Act.

(Source: Amended at 23 Ill. Reg. 12681, effective Oct 05 1999)

Section 1360.60 Restoration

a) A person seeking restoration of a license that has expired for less than 5 years or less shall have the license restored upon payment of \$100 plus all lapsed renewal fees required by Section 18(a)(4) of the Act and proof of 50 hours of continuing education, as defined in Section 1360.70 of this Part, earned within the 2 years preceding restoration of the license.

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- b) A person seeking restoration of a license that has been placed on inactive status for ~~less than~~ 5 years or less shall have the license restored upon payment of the current renewal fee and proof of 50 hours of continuing education, as defined in Section 1360.70 of this Part, earned within 2 years preceding the restoration of the license.
- c) A person seeking restoration of a license after it has expired or been placed on inactive status for more than 5 years shall file an application, or forms supplied by the Department, together with the fee required by Section 18(a)(4) of the Act and be scheduled for an interview before the Board. The person shall also submit either:

- 1) Certification of active practice in another jurisdiction and proof of 50 hours continuing education as defined in Section 1360.70 of this Part during the 2 years prior to restoration. Such evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the applicant was authorized to practice during the term of active practice; or

- 2) ~~An affidavit attesting to military service as provided in Section 15-of-the-Act; or~~

- 2) ~~3~~ Proof of successful completion of the PM Lexis examination in accordance with Section 1360.40 within one year before applying for restoration.

- d) Pursuant to Section 15(D) of the Act, anyone applying for restoration of a license that has expired or been placed on inactive status while in military service shall submit an affidavit attesting to that service. If the application is made within 2 years after discharge and if all other provisions of Section 15(D) are met, the applicant will only be required to pay the current renewal fee and will not be required to submit proof of continuing education.

- e) ~~d~~ When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the licensee seeking restoration of a license shall be requested to:

- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information. Upon the recommendation of the Board and approval by the Department, an applicant's license shall be restored.

(Source: Amended at 23 Ill. Reg. 12681, effective 01/05/1999)

Section 1360.65 Temporary Licenses

- a) An applicant for a temporary license to pursue postgraduate training shall file an application with the Department, on forms provided by

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the Department, which includes the following:

- 1) A complete work history indicating all employment since graduation from an approved podiatric medical program that meets the requirements set forth in Section 1360.20~~7~~

- 2) Either:

- A) Certification of graduation from an approved podiatric medical program; or
- B) Certification that the applicant will graduate from an approved podiatric medical program before entering into the postgraduate training. This certification shall be signed by the director or registrar of the applicant's podiatric medical program.

- 3) Proof of passage of Part I and Part II of the examination given by the NBPME by NBPME standards. The applicant shall have his scores submitted to the Department or its designated testing service, directly from NBPME.

- 4) Proof that the applicant has been accepted or appointed to a position in a postgraduate program approved by the Council on Podiatric Medical Education of the American Podiatric Medical Association which includes residencies and preceptorships.

- 5) Certification, on forms provided by the Department, from the jurisdictions in which the applicant was originally licensed and is currently licensed, if applicable, stating:

- A) The time during which the applicant was registered in that jurisdiction, including the date of the original issuance of the license; and
- B) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

- 6) ~~5~~ The required fee set forth in Section 18(a)(1) of the Act.

- b) A temporary license shall be valid for one year.
- c) Temporary licenses may be renewed one time in the following situations:

- 1) Serving full-time in the Armed Forces;
 - 2) An incapacitating illness documented by a currently licensed physician; or
 - 3) Proof of continuance of a postgraduate training program.
- d) A licensee applying for renewal of a temporary certificate shall pay to the Department the fee set forth in Section 18(a)(3) of the Act.
- e) If a temporary license holder terminates or is discharged from a residency or preceptorship program, the temporary license shall be null and void. If the licensee changes his/her preceptorship or residency program, he/she shall reapply for a new temporary license.
- f) If the licensee applies for a permanent podiatric physician license while holding a temporary license, no permanent license shall be issued until the temporary license is returned to the Department.

(Source: Amended at 23 Ill. Reg. 12681, effective 01/05/1999)

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Section 1360.70 Continuing Education

a) Continuing Education Hour Requirements

- 1) Every renewal applicant who applies for renewal of a license as a podiatric physician must complete 50 hours of continuing education (CE) relevant to the practice of podiatric medicine.
- 2) A prerenewal period is the 24 months preceding January 31 of each odd-numbered year.
- 3) A renewal applicant is not required to comply with CE requirements for the first renewal.
- 4) Podiatric physicians licensed in Illinois but residing and practicing in other states must comply with the CE requirements set forth in this Section.

b) Approved Continuing Education

- 1) All continuing education hours must be earned by verified attendance at or participation in a program or course sponsored, approved or given by a sponsor approved by the Council on Podiatric Medical Education, sponsored by the Illinois Podiatric Medical Association, or ~~fe-g---certificate--of--attendance-or certificate-of-completion~~ which is offered or sponsored by an approved continuing education sponsor who meets the requirements set forth in subsection (c) below, except for those activities provided in subsections (b)(2), (3), (4), (5), and (6) below.
- 2) A maximum of 18 hours of credit per prerenewal period may be earned through postgraduate training programs (i.e., extern, residency, or fellowship programs) approved by the Council on Podiatric Medical Education of the American Podiatric Medical Association as provided for in Section 5(G) of the Act.
- 3) A maximum of 18 hours per prerenewal period may be earned for verified teaching in an approved podiatric medical college which meets the standards set forth in Section 1360.20 and/or as an instructor of continuing education through an approved sponsor. One hour of credit will be granted for actual presentation, plus actual preparation time of up to 2 hours for each hour of presentation. preparation time shall not be allowed for presentations of the same course, and will only be allowed for additional study or research.
- 4) Up to ~~fifteen-(15)~~ total credit hours per prerenewal period may be claimed for papers, publications, books, presentations and exhibits. The preparation of each published paper, book chapter or audio-visual presentation dealing with Podiatric Medicine which is made available to health professionals may be claimed as 5 hours of credit. A presentation or exhibit must be before a professional audience of podiatrists or other health professionals. Five credit hours may be claimed for only the first time the information is published or presented.
- 5) Up to ~~fifteen-(15)~~ total credit hours per prerenewal period may be earned through nonsupervised individual activities in the

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following areas:

- A) Self-Instruction--Up to 3 hours of credit may be claimed for the use of audio-visual materials, programmed education materials, electronic teaching devices and the individual reading of podiatric medical literature.
 - B) Patient Care Review--Up to 3 hours may be claimed for time spent in programs concerned with the review and evaluation of patient care. This includes such activities as peer review.
 - C) Self-assessment--Up to 3 hours of credit may be claimed for time spent in self-assessment programs. These would include, for example, quizzes completed by the podiatrist after reading professional publications of a scientific or patient-care oriented nature, or completion of aptitude questionnaires provided by various organizations and societies.
 - D) Specialty Board or Specialty Organization Preparation--Up to 6 hours may be claimed for nonsupervised individual activities carried out in preparation for an examination or to satisfy other requirements for membership in a specialty organization. No additional credit may be claimed for taking and/or passing an examination given by the board or organization.
 - 6) Up to ~~ten-(10)~~ hours of credit per prerenewal period may be claimed for verified formal learning experiences sponsored by hospitals, agencies, organizations or other institutions which are not approved continuing education sponsors, in subjects that facilitate the podiatrist's performance, such as courses in computerized patient-record systems, practice management, risk management or training--including advanced degree programs in education, health administration, and similar subjects.
- c) Approved CE Sponsors and Programs
- 1) Sponsor, as used in this Section, shall mean the Council on Podiatric Medical Education and its approved sponsors, the Illinois Podiatric Medical Association, or a person, firm, association, corporation, or any other group which has been approved and authorized by the Board and validated by the Illinois Podiatric Medical Association Continuing Education Committee to coordinate and present continuing education courses or programs.
 - 2) A sponsor shall submit the fee set forth in Section 18(a)(10) of the Act, a ~~fee--of-\$500~~ along with a sponsor application ~~that~~ which certifies:
 - A) That all courses and programs offered by the sponsor for CE credit will comply with the criteria in subsection (c)(3) and all other criteria in this Section;
 - B) That the sponsor will be responsible for verifying attendance at each course or program, and provide a

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certificate of attendance as set forth in subsection (d) below;

- C) That upon request by the Department, the sponsor will submit such evidence (e.g., certificate of attendance or course materials) as is necessary to establish compliance with this Section. Such evidence shall be required when the Department has reason to believe that there is not full compliance with the statute and this Part and that this information is necessary to ensure compliance.
- 3) All courses and programs shall:
 - A) Contribute to the advancement, extension and enhancement of professional clinical skills and scientific knowledge in the practice of podiatric medicine;
 - B) Provide experiences which contain scientific integrity, and subject matter and course material relevant to podiatric medicine;
 - C) Be developed and presented by persons with education and/or experience in the subject matter of the program;
 - D) Specify the course objectives, course content and teaching methods to be used; and
 - E) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for license renewal.
- 4) All programs given by approved sponsors shall be open to all licensed podiatric physicians and not be limited to members of a single organization or group.
- 5) Continuing education credit hours used to satisfy the CE requirements of another jurisdiction may be applied to fulfill the CE requirements of the State of Illinois.
- 6) Each sponsor shall reapply by January 31 of each year. The sponsor shall submit to the Department, along with the completed sponsor application and the fee set forth in Section 18(a)(10) of the Act, a \$500-fee a list of courses and programs offered within the last 12 months, which includes a brief description, location, date and time of the course.
- 7) Certification of Attendance. It shall be the responsibility of a sponsor to provide each participant in an approved program or course with a certificate of attendance or participation. The sponsor's certificate of attendance shall contain:
 - A) The name and address of the sponsor;
 - B) The name and address of the participant;
 - C) A brief statement of the subject matter;
 - D) The number of hours attended in each program;
 - E) The date and place of the program; and
 - F) The signature of the sponsor.
- 8) The sponsor shall maintain attendance records for not less than five years.
- 9) The sponsor shall be responsible for assuring that no renewal applicant shall receive CE credit for time not actually spent

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attending the program.

- 10) Upon the failure of any sponsor to comply with any of the foregoing requirements, the Department, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 1110), shall thereafter refuse to accept for CE credit attendance at or participation in any of such sponsor's CE activities until such time as the Department receives assurances of compliance with this Section.
- 11) Notwithstanding any other provision of this Section, the Department or Board may evaluate any sponsor of any approved continuing education program at any time to ensure compliance with the requirements of this Section.
- d) Certification of Compliance with CE Requirements
 - 1) Each renewal applicant shall certify, on the renewal application, full compliance with the CE requirements set forth in subsections subsection (a) and (b), above.
 - 2) The Department may require additional evidence demonstrating compliance with the CE requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of such compliance. Such additional evidence will be required in the context of the Department's random audit.
 - 3) When there appears to be a lack of compliance with CE requirements, an applicant will be notified in writing and may request an interview with the Board.
 - e) Continuing Education Earned in Other Jurisdictions:
 - 1) If a renewal applicant will be earning or has earned CE hours in another jurisdiction, but is not licensed in that jurisdiction and the course is not presented by an approved sponsor, the applicant shall submit an individual program approval request form, along with a \$20 processing fee, to have the program reviewed. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(5) of this Section. Applicants may seek individual program approval prior to the participation in the course or program. All individual program approval requests shall be submitted 90 days prior to the expiration date of the license.
 - 2) If a licensee fails to submit an out of state CE approval form within the required time frame, late approval may be obtained by submitting the approval request form with the \$20 processing fee plus a \$50 per credit hour late fee not to exceed \$300. The Board shall review and recommend approval and disapproval of the program using the criteria set forth in subsection (b) of this Section.
 - f) Waiver of CE Requirements
 - 1) Any renewal applicant seeking renewal of a license without having fully complied with these CE requirements shall file with the Department a renewal application along with the required fee set

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forth in Section 18(a)(3) of the Act, a statement setting forth the facts concerning such non-compliance, and request for waiver of the CE requirements on the basis of such facts. The request for waiver shall be made prior to the renewal date. If the Department, upon the written recommendation of the Board, finds from such affidavit or any other evidence submitted, that extreme hardship has been shown for granting a waiver, the Department shall waive enforcement of the requirements for the renewal period for which the applicant has applied.

2) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:

- A) Full time service in the Armed Forces ~~armed-forces~~ of the United States of America during a substantial part of such period;
 - B) An incapacitating illness documented by a statement from a currently licensed physician;
 - C) A physical inability to travel to the sites of approved programs documented by a currently licensed physician; or
 - D) Any other similar extenuating circumstances.
- 3) Any renewal applicant who, prior to the expiration date of a license, submits a request for a waiver, in whole or in part, pursuant to the provisions of this Section shall be deemed to be in good standing until the final Department's decision on the application has been made.

(Source: Amended at 23 Ill. Reg. 12 6 8 1, effective 01 0 5 1999)

Section 1360.75 Visiting Professor Permits

a) Any person not licensed in this State ~~state~~ to practice as a podiatric medical physician who has been appointed as a visiting professor at a program of podiatric medicine in this State must be the holder of a Visiting Professor Permit issued by the Department pursuant to the provisions of Section 12 of the Act.

b) An application for a Visiting Professor Permit shall be made on forms provided by the Department. Such application shall include:

- 1) The name and location of the applicant's program of podiatric medicine, dates of attendance, and date and type of degree conferred;
- 2) Certification from the jurisdictions ~~jurisdiction~~ of original licensure and current licensure, indicating:
 - A) The date of licensure;
 - B) The method of licensure; and
 - C) The current status of the license;
- 3) Certification from the Dean of the program of podiatric medicine

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indicating:

- A) That the person has contracted with the applicant and he has received a faculty appointment to teach in the program;
 - B) The nature of the educational services to be provided by the applicant; and
 - C) The term of the contract;
- 4) A copy of the applicant's current curriculum vitae; and
- 5) The fee set forth in Section 18(a)(1) of the Act ~~of \$300~~.

c) A Visiting Professor Permit shall be valid for one ~~1~~ year and may be renewed only once for one year.

d) Application for renewal of a Visiting Professor Permit shall be made on forms supplied by the Department at least ~~sixty~~ 60 days prior to expiration of the permit. Such application shall include:

- 1) Certification from the Dean of the program of podiatric medicine indicating the term of the renewal contract, not to exceed one year from the date of the original expiration date;
- 2) Certification from the jurisdiction of original licensure indicating the current status of the license; and
- 3) The fee set forth in Section 18(a)(3) of the Act ~~of \$300~~.

e) When any person who has been issued a Visiting Professor Permit is discharged or terminates his faculty appointment, any certificate issued in the name of such person shall be null and void as of the date of such discharge or termination. Such program of podiatric medicine shall immediately deliver or mail by registered mail to the Department the Visiting Professor Permit and written notice of the reason for the return of the permit.

f) Only one Visiting Professor Permit shall be issued to an applicant, which may be renewed once. If, at the conclusion of the term of the faculty appointment for which the permit was issued, the holder of such permit desires to remain in the State and practice or teach the ~~his~~ profession, he/she must apply for and receive a license to practice the ~~that~~ profession.

g) Whenever a program of podiatric medicine is required to deliver or return a Visiting Professor Permit to the Department and that permit has been lost or destroyed or is for any other reason unavailable for return to the Department, the program of podiatric medicine shall immediately mail or deliver to the Department a written explanation concerning the inability to return the permit.

h) Nothing herein shall prohibit the holder of a Visiting Professor Permit from applying for and receiving a license to practice the ~~his~~ profession in this State during the term of his/her faculty appointment. In the event the holder of such permit is issued a license to practice the ~~his~~ profession in this State, upon receipt of the license, the permit shall become null and void and shall be returned to the Department pursuant to the provisions of subsection (e) above.

(Source: Amended at 23 Ill. Reg. 12 6 8 1, effective

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OC 05 1999

Section 1360.90 Granting Variances

- a) The Director may grant variances from this Part ~~these rules~~ in individual cases where he/she ~~he~~ finds that:
- 1) the provision from which the variance is granted is not statutorily mandated;
 - 2) no party will be injured by the granting of the variance; and
 - 3) the rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.
- b) The Director shall notify the Podiatric Medical Licensing Board of the granting of such variance, and the reasons therefor, at the next meeting of the Board.

(Source: Amended at 23 Ill. Reg. 12681, effective
OC 05 1999)

Section 1360.95 Dishonorable, Unprofessional and Unethical Conduct Standards

- a) The Department may suspend or revoke a license, refuse to issue or renew a license or take other disciplinary action, based upon its finding of dishonorable, unprofessional and unethical conduct of a character likely to deceive, defraud or harm the public within the meaning of Section 24 of the Act that is interpreted to include, but is not limited to, the following acts or practices:
- 1) Practicing or offering to practice beyond one's competency (for example, providing services and techniques for which one is not qualified by education, training and experience);
 - 2) Making gross or deliberate misrepresentations or misleading claims as to his/her professional qualifications or of the efficacy or value of his/her treatments or remedies, or those of another practitioner;
 - 3) Impersonating another person holding a podiatric medical license or allowing another person to use his/her license;
 - 4) Delegating responsibility for delivery of patient care to persons who were not properly supervised or who were not competent to assume such responsibility;
 - 5) Submission of fraudulent claims for services to any health insurance company or health service plan or third party payor.
- b) Pursuant to Section 24(9) of the Act, the Department hereby incorporates by reference the "Code of Ethics", Revised 1998, Illinois Podiatric Medical Association, 53 W. Jackson, Chicago, Illinois 60604 and the "Code of Ethics" published in the American Podiatric Medical Association Bylaws, Revised 1988, the American Podiatric Medical Association, 9312 Old Georgetown Road, Bethesda MD 20814, with no later amendments or editions.

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(Source: Added
OC 05 1999

at 23 Ill. Reg. 12681,
)

effective

DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Numbers:
 140.3 Adopted Action:
 140.5 Amendment
 140.420 Amendment
 140.421 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective Date of Amendments: October 1, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: June 25, 1999 (23 Ill. Reg. 7198)
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Differences Between Proposal and Final Version:
 Section 140.3
 In subsection (a)(1), "AFDC (Aid to Families with Dependent Children)" has been changed to "TANF (Temporary Assistance to Needy Families)".
 In subsections (a)(3) and (a)(4), "AFDC" has been changed to "TANF".
 No other changes have been made in the text of the proposed amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will these amendments replace emergency amendments currently in effect?
 Yes
- 14) Are there any other amendments pending on this part? Yes

DEPARTMENT OF PUBLIC AID
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- | <u>Sections</u> | <u>Proposed Action</u> | <u>Illinois Register Citation</u> |
|-----------------|------------------------|-------------------------------------|
| 140.24 | Amendment | July 30, 1999 (23 Ill. Reg. 8603) |
| 140.461 | Amendment | January 4, 1999 (23 Ill. Reg. 128) |
| 140.462 | Amendment | January 4, 1999 (23 Ill. Reg. 128) |
| 140.481 | Amendment | August 20, 1999 (23 Ill. Reg. 9733) |
| 140.497 | Amendment | August 20, 1999 (23 Ill. Reg. 9733) |
- 15) Summary and Purpose of Amendments: These amendments to the Department's rules establish coverage under the Medical Assistance Program for certain medical services for recipients age 21 years or more. This new coverage pertains to optional services under Medicaid, including dental, chiropractic and podiatric care, and optical services and supplies. These changes are being made pursuant to implementation of the Department's fiscal year 2000 budget, as enacted under Public Act 91-0020.
- The Department also filed an emergency rulemaking concerning these changes, effective July 1, 1999, that was published on July 16, 1999, at 23 Ill. Reg. 8236.
- This additional medical coverage is expected to result in an expenditure of approximately \$22.3 million during fiscal year 2000.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Name: Joanne Jones
 Address: Office of the General Counsel - Rules
 Illinois Department of Public Aid
 201 South Grand Avenue East
 Third Floor
 Springfield, Illinois 62763-0002
 Telephone: (217) 524-0081

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF PUBLIC AID

SUBCHAPTER d: MEDICAL PROGRAMS

PART 140

MEDICAL PAYMENT

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Section

- 140.1 Incorporation By Reference
- 140.2 Medical Assistance Programs
- 140.3 Covered Services Under Medical Assistance Programs
- 140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
- 140.5 Covered Medical Services Under General Assistance
- 140.6 Medical Services Not Covered
- 140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight
- 140.8 Medical Assistance For Qualified Severely Impaired Individuals
- 140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
- 140.10 Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section

- 140.11 Enrollment Conditions for Medical Providers
- 140.12 Participation Requirements for Medical Providers
- 140.13 Definitions
- 140.14 Denial of Application to Participate in the Medical Assistance Program
- 140.15 Recovery of Money
- 140.16 Termination or Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.18 Effect of Termination on Individuals Associated with Vendor
- 140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring
- 140.20 Submittal of Claims
- 140.21 Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)
- 140.22 Magnetic Tape Billings
- 140.23 Payment of Claims
- 140.24 Payment Procedures
- 140.25 Overpayment or Underpayment of Claims
- 140.26 Payment to Factors Prohibited

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- 140.27 Assignment of Vendor Payments
- 140.28 Record Requirements for Medical Providers
- 140.30 Audits
- 140.31 Emergency Services Audits
- 140.32 Prohibition on Participation, and Special Permission for Participation
- 140.33 Publication of List of Terminated, Suspended or Barred Entities
- 140.35 False Reporting and Other Fraudulent Activities
- 140.40 Prior Approval for Medical Services or Items
- 140.41 Prior Approval in Cases of Emergency
- 140.42 Limitation on Prior Approval
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- 140.71 Reimbursement for Medical Services Through the Use of a C-13 Invoice
- 140.72 Voucher Advance Payment and Expedited Payments
- 140.73 Drug Manual (Recodified)
- Drug Manual Updates (Recodified)

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Section

- 140.80 Hospital Provider Fund
- 140.82 Developmentally Disabled Care Provider Fund
- 140.84 Long Term Care Provider Fund
- 140.94 Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund
- 140.95 Hospital Services Trust Fund
- 140.96 General Requirements (Recodified)
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- 140.99 Hospital Services Not Covered (Recodified)
- 140.100 Limitation On Hospital Services (Recodified)
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- 140.110 Disproportionate Share Hospital Adjustments (Recodified)
- 140.116 Payment for Inpatient Services for GA (Recodified)
- 140.117 Hospital Outpatient and Clinic Services (Recodified)
- 140.200 Payment for Hospital Services During Fiscal Year 1982 (Recodified)
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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act [20 ILCS 2215/Art. III] and implementing and authorized by Articles III, IV, V, VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; codified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment

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at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 239, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.912 and 140.912 Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.205 and 147.205 Table A and 147.205 Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections

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140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; amended at 13 Ill. Reg. 7025, effective April 24, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg.

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18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 13186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 Ill. Reg. 2951, effective February 17, 1993; amended at 17 Ill. Reg. 3421, effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993; amended at 17 Ill. Reg. 7004, effective May 17, 1993; expedited correction at 17 Ill. Reg. 7078, effective December 1, 1992; emergency amendment at 17 Ill. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 15162, effective September 2, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 18152, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, 1993; emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993, for a

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maximum of 150 days; emergency amendment suspended effective October 12, 1993; amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill. Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency amendment at 18 Ill. Reg. 10922, effective July 1, 1994, for a maximum of 150 days; emergency amendment suspended, effective November 15, 1994; emergency amendment repealed at 19 Ill. Reg. 5939, effective April 4, 1995; amended at 18 Ill. Reg. 11244, effective July 1, 1994; amended at 18 Ill. Reg. 14126, effective August 29, 1994; amended at 18 Ill. Reg. 16675, effective November 1, 1994; amended at 18 Ill. Reg. 18059, effective December 19, 1994; amended at 19 Ill. Reg. 1082, effective January 20, 1995; amended at 19 Ill. Reg. 2933, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effective March 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 5663, effective April 1, 1995; amended at 19 Ill. Reg. 7919, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 8455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 9297, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10252, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, effective September 5, 1995; amended at 19 Ill. Reg. 14440, effective September 29, 1995; emergency amendment at 19 Ill. Reg. 14833, effective October 6, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at 19 Ill. Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 1210, effective December 29, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996; amended at 20 Ill. 5858, effective April 5, 1996; amended at 20 Ill. Reg. 6929, effective May 6, 1996; amended at 20 Ill. Reg. 7922, effective May 31, 1996; amended at 20 Ill. Reg. 9081, effective June 28, 1996; emergency amendment at 20 Ill. Reg. 9312, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 11332, effective August 1, 1996; amended at 20 Ill. Reg. 14845, effective October 31, 1996; emergency amendment at 21 Ill. Reg. 705, effective December 31, 1996, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 3734, effective March 5, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4777, effective April 2, 1997; amended at 21 Ill. Reg. 6899, effective May 23, 1997; amended at 21 Ill. Reg. 9763, effective July 15, 1997; amended at 21 Ill. Reg. 11569, effective August 1, 1997; emergency amendment at 21 Ill. Reg. 13857, effective October 1, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 1416, effective December 29, 1997; amended at 22 Ill. Reg. 4412, effective February 27, 1998; amended at 22 Ill. Reg. 7024, effective April 1, 1998; amended at 22 Ill. Reg. 10606, effective June 1, 1998; emergency amendment at 22 Ill. Reg. 13117, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16302, effective August 28, 1998; amended at 22 Ill. Reg. 18979, effective September 30, 1998; amended at 22 Ill. Reg. 19898, effective October 30, 1998; emergency amendment at 22 Ill. Reg. 22108, effective December 1, 1998, for a maximum of 150 days; emergency expired on April 29, 1999; amended at 23 Ill. Reg. 5796, effective April 30, 1999; amended at 23 Ill. Reg. 7122, effective June 1, 1999; emergency amendment at 23 Ill. Reg. 8236, effective July 1, 1999, for a maximum of 150 days; amended at

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23 Ill. Reg. 9874, effective August 3, 1999; amended at 23 Ill. Reg. 12697, effective 01 01 1999.

SUBPART A: GENERAL PROVISIONS

Section 140.3 Covered Services Under Medical Assistance Programs

- a) As described in this Section, medical services shall be covered for:
- 1) recipients of financial assistance under the AABD (Aid to the Aged, Blind or Disabled), TANF (Temporary Assistance to Needy Families) ~~AABD--Aid-to-Families--with-Dependent--Children~~, or Refugee/Entrant/Repatriate programs;
 - 2) recipients of medical assistance only under the AABD program (AABD-MANG);
 - 3) recipients of medical assistance only under the ~~TANF~~ ~~AABD~~ program (TANFAPBD-MANG);
 - 4) individuals under age 18 not eligible for ~~TANF~~ ~~AABD~~ (see Section 140.7), pregnant women who would be eligible if the child were born and pregnant women and children under age eight who do not qualify as mandatory categorically needy (see Section 140.9);
 - 5) disabled persons under age 21 who may qualify for Medicaid and in-home care (Model Waiver); and
 - 6) recipients eligible under the State Transitional Assistance Program who are determined by the Department to be disabled.
- b) The following medical services shall be covered for recipients under age 21 who are included under subsection (a) above:
- 1) Inpatient hospital services;
 - 2) Hospital outpatient and clinic services;
 - 3) Hospital emergency room visits. The visit must be for the alleviation of severe pain or for immediate diagnosis and/or treatment of conditions or injuries which might result in disability or death if there is not immediate treatment;
 - 4) Encounter rate clinic visits;
 - 5) Physician services;
 - 6) Pharmacy services;
 - 7) Home health agency visits;
 - 8) Laboratory and x-ray services;
 - 9) Group care services;
 - 10) Family planning services and supplies;
 - 11) Medical supplies, equipment, prostheses and orthoses, and respiratory equipment and supplies;
 - 12) Transportation to secure medical services;
 - 13) Medichex (EPSDT) services;
 - 14) Dental services;
 - 15) Chiropractic services;
 - 16) Podiatric services;
 - 17) Optical services and supplies;
 - 18) Substance alcoholism and substance abuse services pursuant to

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Sections 140.390 through 140.396; and

- 19) Hospice services.
- c) The following medical services shall be covered for recipients age 21 or over who are included under subsection (a) above:
- 1) Inpatient hospital services;
 - 2) Hospital outpatient and clinic services;
 - 3) Hospital emergency room visits. The visit must be for the alleviation of severe pain or for immediate diagnosis and/or treatment of conditions or injuries which might result in disability or death if there is not immediate treatment;
 - 4) Encounter rate clinic visits;
 - 5) Physician services;
 - 6) Pharmacy services;
 - 7) Home health agency visits;
 - 8) Laboratory and x-ray services;
 - 9) Group care services;
 - 10) Family planning services and supplies;
 - 11) Medical supplies, equipment, prostheses and orthoses, and respiratory equipment and supplies;
 - 12) Transportation to secure medical services;
 - 13) Medichex (EPSDT) services;
 - 14) Substance alcoholism and substance abuse services pursuant to Sections 140.390 through 140.396;
 - 15) Hospice services; and
 - 16) Dental services; ~~Adult-emergency-dental-services--as--defined--in Section-140-421(a)~~
 - 17) Chiropractic services;
 - 18) Podiatric services; and
 - 19) Optical services and supplies.

(Source: Amended at 23 Ill. Reg. 12697, effective 06/01/1999)

Section 140.5 Covered Medical Services Under General Assistance

- a) The following medical services shall be covered for recipients of financial assistance under General Assistance for both the State Transitional Assistance Program and the State Family and Children Assistance Program:
- 1) Encounter rate clinic visits;
 - 2) Physician services;
 - 3) Vital pharmacy services (items necessary for life maintenance or to avoid life threatening situations);
 - 4) Vital medical supplies and equipment;
 - 5) Group care services, subject to prior approval;
 - 6) Family planning services;
 - 7) Laboratory and x-ray services;
 - 8) Transportation to secure medical services;

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- 9) Prostheses, orthoses (only when essential for employment or expediting hospital discharge);
 - 10) Home health agency visits (only on a prior approval basis when the medical condition is documented by the physician as terminal);
 - 11) Hospice services; and
 - 12) Dental services; ~~Adult-emergency-dental-services-~~
 - 13) Chiropractic services;
 - 14) Podiatric services; and
 - 15) Optical services and supplies.
- b) The following medical services shall be covered for recipients of financial assistance under General Assistance only for the State Family and Children Assistance Program, not the State Transitional Assistance Program, in addition to the services covered under subsection (a) above:
- 1) Inpatient hospital services. (Physical rehabilitation services and psychiatric services are not covered for General Assistance recipients age 18 or over);
 - 2) Hospital outpatient and clinic services for surgical procedures, renal dialysis or cancer therapy; and
 - 3) Hospital emergency room visits. The visit must be for the alleviation of severe pain or for immediate diagnosis and/or treatment of conditions or injuries which might result in disability or death if there is not immediate treatment.
- (Source: Amended at 23 Ill. Reg. 12697, effective 06/01/1999)

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section 140.420 Dental Services

- a) Payment for dental services shall be made only to licensed dentists. Payment for comprehensive orthodontic care shall be made only to a dentist licensed for provision of such services.
- b) Except for the "services not covered" specified in subsection (c) below, payment shall be made for dental services that are:
- 1) Necessary to relieve pain or infection. Preserve teeth, or restore adequate dental function;
 - 2) Diagnostic, preventive, or restorative services, endodontics, prosthodontics, orthodontics or oral surgery included in the Department's Schedule of Dental Procedures (see Table D at the end of this Part);
 - 3) Performed by the dentist or under the direct supervision of the dentist.
- c) Services for which payment shall not be made include:
- 1) Routine or periodic examination other than:
 - A) Initial examinations;

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- B) Required school examinations;
 C) Periodic examinations for children with minimum of 12 months having elapsed since initial or previous periodic examination;
 2) Adult non-emergency dental services--(see--Section--140.421)--3)
 Experimental dental care;
 34) Procedures performed only for cosmetic reasons;
 45) Acrylic crown.

(Source: Amended at 23 Ill. Reg. 12 6 9 7, effective
 OCT 01 1999)

Section 140.421 Limitations on Dental Services

- a) Dental services for recipients age 21 and older are covered for only a limited range of emergency dental services;
 1) Emergency dental services are described as those dental procedures necessary to treat pain in the teeth, gums, palate or any other problem of the mouth that requires immediate attention and is appropriately treated by a dentist;
 2) Determinations concerning what constitutes an emergency dental procedure are based on x-rays, if a problem is readily identifiable by x-ray, the dentist is not required to request prior approval; if the x-ray does not readily indicate the problem, the dentist should seek prior approval;
 3) Prior to payment, each claim will be reviewed for medical necessity and for true emergency status;
 b) Prior approval is required for:
 1) Space maintainers;
 2) Crowns;
 3) Endodontics;
 4) Periodontics;
 5) Dentures;
 6) Bridgework;
 7) Orthodontics. Medically necessary orthodontic treatment is approved for children. The Department's consultant shall make the initial decision whether or not to approve orthodontic treatment. Medically necessary orthodontic treatment is defined as:
 A) treatment necessary to correct a condition which scores 42 points or more on the Salzmann Index, or
 B) treatment necessary to correct a condition that constitutes a handicapping malocclusion. (A malocclusion is handicapping if there is an impairment of or a hazard to the ability to eat, chew, speak or breathe that is related to the malocclusion.);
 8) Extraction of impacted teeth;
 9) Alveoloplasty;

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- 10) Cyst excisions;
 11) Frenulectomy;
 12) Analgesia (nitrous oxide);
 13) Dental services not included in the Department's Schedule of Dental Procedures (See Table D at the end of this Part).
 be) The dentist may request post-approval when a dental procedure requiring prior approval is provided on an emergency basis. Approval of the procedures shall be given if, in the judgment of a consulting dentist of the Department or a consulting dental service, the procedure is necessary to prevent dental disease or to restore and maintain adequate dental function to assure good bodily health and the well-being of the patient.
 cd) Payment for complete and partial dentures is limited to one set every five years if necessary to replace lost, broken or unusable dentures; payment for a bridge is limited to once in five years. Bridgework will be reimbursed only if there has not been placement of a partial denture within the prior five years.
 de) Root canals, apexification, and apicoectomy procedures are covered for children for anterior teeth, bicuspids, and permanent first molars. Root canals are covered for adults only for anterior teeth.
 ef) Full mouth series of x-rays are covered only once every three years.

(Source: Amended at 23 Ill. Reg. 12 6 9 7, effective
 OCT 01 1999)

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1) Heading of the Part: Public Library Construction Grants

2) Code Citation: 23 Ill. Adm. Code 3060

3) Section numbers: Adopted Action:

3060.100 Amended
3060.400 Amended
3060.500 Amended
3060.600 Amended
3060.800 Amended
3060.900 Amended

4) Statutory Authority: Implementing Section 3 of the Capital Development Bond Act of 1972 [30 ILCS 420/3] and authorized by Sections 3 and 8 of the Illinois Library System Act [75 ILCS 10/3 and 8]

5) Effective Date of Amendments: October 4, 1999

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? Yes

8) A copy of the adopted amendment, including any material incorporated by reference, is on file at the Illinois State Library Reference Department, 300 S. 2nd St., 2nd Fl., Springfield IL 62701 and is available for public inspection.

9) Notice of poposal published in Illinois Register: June 26, 1999, 23 Ill. Reg. 7219

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version: Minor wording and punctuation changes were made. Additionally, a reference to special appropriations was removed in the revised language in Section 3060.600 (d).

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect?
No

14) Are there any amendments pending on this Part? No

15) Summary and purpose of amendments: Public libraries in areas with low per capita income from property taxes will be eligible for mini-grants that have no requirements for local matching funds. Grant funding levels

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and percentages, funding priorities and eligibility requirements are revised. Maximum and minimum grant amounts are revised in order to make best use of the grant funds.

16) Information and questions regarding this adopted amendment shall be directed to:

Kathleen Bloomberg
Associate Director for Communications & Planning
Illinois State Library
300 S. Second Street
Springfield, IL 62701-1796
217/785-0052
217/782-8261 fax
kbloom@library.sos.state.il.us

The full text of the adopted amendments begins on the next page:

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TITLE 23: EDUCATION AND CULTURAL RESOURCES
 SUBTITLE B: CULTURAL RESOURCES
 CHAPTER I: SECRETARY OF STATE

PART 3060

PUBLIC LIBRARY CONSTRUCTION GRANTS

SUBPART A: INTRODUCTION

Section

3060.100 Program Purpose

3060.200 Duty to Administer

3060.400 Definitions

SUBPART B: GRANT APPLICATION

Section

3060.500 Priorities in Library Grant Construction Proposals

3060.600 Grant Funding Limitations

3060.700 The Chicago Public Library Branches

3060.800 Grant Application Procedure

3060.900 Requirements and Conditions of Grant Funds

3060.1000 Remodeling for Accessibility

3060.1100 Disbursement of Grant Funds

SUBPART C: APPEAL PROCEDURE

Section

3060.2000 Appeal Procedure

APPENDIX A EDA Qualified Areas (Repealed)

AUTHORITY: Implementing Section 3 of the Capital Development Bond Act of 1972 [30 ILCS 420/3] and authorized by Sections 3 and 8 of the Illinois Library System Act [75 ILCS 10/3 and 8].

SOURCE: Emergency rules adopted and codified at 7 Ill. Reg. 2017, effective January 28, 1983, for a maximum of 150 days; emergency expired June 27, 1983; adopted at 8 Ill. Reg. 2510, effective February 10, 1984; Part repealed, new Part adopted by emergency action at 9 Ill. Reg. 4560, effective March 20, 1985, for a maximum of 150 days; emergency expired August 17, 1985; Part repealed, new Part adopted at 9 Ill. Reg. 15004, effective September 25, 1985; emergency amendment at 9 Ill. Reg. 17885, effective November 4, 1985, for a maximum of 150 days; emergency expired April 3, 1986; amended at 10 Ill. Reg. 20002, effective November 19, 1986; amended at 12 Ill. Reg. 11264, effective July 1, 1988; emergency amendment at 17 Ill. Reg. 18687, effective October 12, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 4996, effective March 14, 1994; amended at 19 Ill. Reg. 12493, effective August 22, 1995; amended at 20

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Ill. Reg. 13078, effective September 20, 1996; emergency amendment at 20 Ill. Reg. 15081, effective November 7, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 4981, effective April 3, 1997; amended at 23 Ill. Reg. 12717, effective 06/04/1999.

SUBPART A: INTRODUCTION

Section 3060.100 Program Purpose

To establish a program of matching State grants to aid in paying for the construction costs of public libraries and facilities for library systems within Illinois. Local money except as provided in subsection (c) below will be matched by State grants based on the category of grant as follows:

- a) Remodeling for Accessibility. Special projects where 70% - 100% of total project funds are to be used specifically for remodeling an existing building as outlined in Section 3060.1000. The State's share shall be 50% of the project's total cost.
- b) Projects involving new construction, additions to and/or remodeling of existing buildings, conversion of buildings not currently used for library services, energy conservation projects, and renovation projects, including projects involving shared use of public facilities. For shared use public facilities, the costs allocated to the public library portion of the building are the only costs eligible for reimbursement under this grant program. The State's share shall be a maximum of 50% 40% of the Project's total cost.
- c) Mini-grants. Special grants to enable public libraries with limited funds to remodel or refurbish the library. These projects include (but are not limited to) new carpeting, new furnishings, remodeling, and interior or exterior painting. Libraries receiving mini-grants must address legal requirements for making the building accessible to the handicapped.

(Source: Amended at 23 Ill. Reg. 12717, effective 06/04/1999)

Section 3060.400 Definitions

For the purposes of this Part:

"Act" means the Illinois Library System Act [75 ILCS 10].

"Application round" means the period in which applications for grants are available to prospective applicants and completed applications are reviewed and grants awarded. Prospective grant applicants may apply during any round offered.

"Appropriation" means the amount of funds actually approved by the General Assembly for a particular fiscal year and allocated to fund

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the construction grant program under Section 8 of the Illinois Library System Act.

"Construction" includes, but is not limited to:

The construction of new public library and library systems buildings.

The acquisition, expansion, remodeling and/or alteration of existing buildings.

The purchase of initial equipment for new buildings or existing buildings which are being expanded, remodeled, or altered, under this grant.

Any combination of such activities (including architect's fees and the cost of the site if acquired in the last 2 years).

"Equipment" includes:

Machinery, utilities and built-in equipment and any necessary enclosures or structures to house them, and all other items necessary for the functioning of a particular facility as a library or as a library system facility. By way of illustration, "equipment" includes, for example, fixtures, furnishings, shelving, and carpeting. "Equipment" does not include, for example, books, periodicals, films, or recordings.

"Inter-system reciprocal borrowing" means reciprocal borrowing transactions involving a lending library and a patron registered as a borrower at a library in another system.

"Library" means a tax-supported public library within an Illinois Library System. "Library" also means a branch library of a main library facility.

"Library building consultant" refers to an individual, chosen by the library, with: a Master's degree in library science from a library school accredited by the American Library Association; and prior experience in at least one library construction project.

"Library system" means an organization defined at Section 2 of the Library System Act.

"Political unit" refers to the local governing authority.

"Public libraries with limited funds" refers to public libraries which would have received an income of less than \$10 \$15 per capita in the

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preceding fiscal year by using a formula whereby the library's equalized assessed valuation is multiplied by .13% and divided by the population of the library's service area.

"State fiscal year" means the period from July 1 through June 30.

(Source: Amended at 23 Ill. Reg. 12717, effective OCT 04 1999)

SUBPART B: GRANT APPLICATION

Section 3060.500 Priorities in Library Grant Construction Proposals

Library grant funds for library building construction in any one application round will be awarded according to the following priorities:

- Remodeling for Accessibility projects as outlined in Section 3060.1000. A minimum of 25% of the available funding will be allocated to this priority except during those application rounds when the amount of grant funds requested for accessibility projects is less than 25% of the available funding.
- Up to 20% or a maximum of \$1 million, whichever is greater, 10% of available funding in a fiscal year will be allocated for mini-grants for public libraries. If there are not enough mini-grant applications that are approved, the remaining funding can be used under subsection (c) of this Section.
- Projects involving new construction, additions to and/or remodeling of existing buildings, conversion of buildings not currently used for library services, energy conservation projects, and renovation projects, including projects involving shared use of public facilities.
- Library buildings which received any--state--or--federal--construction funding--whether--under--a--library--construction--grant--program--or--a specific appropriation--during the three prior state fiscal years--and current state fiscal year.

(Source: Amended at 23 Ill. Reg. 12717, effective OCT 04 1999)

Section 3060.600 Grant Funding Limitations

Fiscal limitations on library building construction grants under Section 8 of the Illinois Library System Act shall include the following:

- The public libraries in any one county shall not receive more than 50% of the funding in each application round unless there are insufficient applications from libraries in other counties to expend the entire appropriation. Grants to library systems shall not be included in calculating this 50% limitation.
- The maximum grant for each library political unit shall be \$250,000

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per annual funding cycle unless there are insufficient applications from other political units to expend the entire appropriation. This subsection (b) shall not be used to award grants in excess of the maximum grants per project specified in subsection (c) of this Section (d) below.

c) ~~the minimum grant awarded for mini-grants shall be \$5,000; the minimum grant awarded for projects other than mini-grants and remodeling for accessibility shall be \$25,000;~~

c) d) The maximum grant awarded for mini-grants shall not exceed \$50,000; the maximum grant awarded for remodeling for accessibility projects shall not exceed \$150,000; the maximum grant awarded for other projects shall not exceed \$250,000.

d) Library buildings that received any State or federal construction funding under a library construction grant program under a contract executed during the three prior State fiscal years and the current State fiscal year are not eligible for any construction grant funding under this Part.

e) For projects of a unique nature or resulting from a disaster, the Secretary of State, on the advice of the Illinois State Library, may raise the ceiling, award less than the minimum grant amount, make a special grant award and/or allow for consecutive years of funding.

(Source: Amended at 23 Ill. Reg. 12717, effective 06-04-99)

Section 3060.800 Grant Application Procedure

The following application procedures shall apply:

- a) An "Intent to Apply" letter shall be submitted to the respective Regional Planning Commission in advance of the application for a construction grant. A copy of the reply from the applicable Regional Planning Commission and a copy of the "Intent to Apply" letter shall be submitted to the Illinois State Library.
- b) The Illinois State Library shall issue application forms for library construction grants under this program.
- c) Applying libraries and library systems shall submit the completed library construction grant application together with the following documents or written assurances to be eligible for library construction grants although some of the documentation and written assurances may be waived in the application for mini-grants described in Section 3060.100(c) of this Part, upon approval of the Illinois State Library construction consultant. Documentation and written assurances may be waived if they are not relevant to the specific mini-grant. As an example, a legal description of the affected real estate may not be required for a mini-grant project to install carpeting in the existing library building.
- 1) An assurance that the real estate affected by the proposed construction is available to the library or library system.

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- 2) The legal description of the affected real estate.
- 3) An assurance that other funds are available or how they will be secured by the library. Funds which will be available upon the grant award may include a mortgage commitment letter from a lender. Assurances from the applicant that various fund-raising activities will be undertaken in the future, where the amount to be raised remains uncertain, shall not be counted as part of the local matching funds for the purposes of Section 3060.100.
- 4) An assurance that the library will expend 90% of Secretary of State library construction grant funds within 12 months after the execution of the grant agreement. The final 10% of grant funds will be reimbursed upon receipt by the State Library of the close-out report, including the final audit, if applicable.
- 5) A building program including preliminary construction plans. For projects with a total cost of over \$50,000, a library building consultant must work with the library in developing the building program.
- 6) A site plan of the proposed building.
- 7) An estimated cost per square foot (for additions and new construction).
- 8) A statement describing the necessity for the proposed project.
- 9) A statement of plans to meet existing library standards of service ("Serving Our Public: Standards for Illinois Public Libraries" - 33 W. Grand, Suite 301, Chicago, IL 60610, Illinois Library Association, revised edition, 1997-1996). The material incorporated by reference includes no later amendments or editions. This subsection shall not apply to library systems.
- 10) A description of the project's potential contribution to the improvement of library services within the library's area of service and in any other portions of the State.
- 11) An assurance that the library will secure a fidelity bond naming the Office of the Illinois Secretary of State as the exclusive beneficiary in an amount equal to 1.25 times the grant award.
- 12) An assurance that construction work will be performed by the lump sum (fixed price) contract method.
- 13) An assurance that the library will publicly announce all requirements for architectural, engineering, and land surveying services and procure these services on the basis of demonstrated competence and qualifications and negotiate contracts at fair and reasonable prices.
- 14) An assurance that adequate methods of obtaining competitive bidding will be employed prior to awarding the construction contract by public advertising and that the award of the contract will be made to the responsible bidder submitting the lowest acceptable bid.
- 15) An assurance that all laborers and mechanics employed by the contractor or subcontractors on all construction projects assisted by the Act shall be paid wages at rates not less than

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those prevailing on similar construction in the locality, as determined by the Illinois Department of Labor in accordance with the Prevailing Wage Act [820 ILCS 130].

16) An assurance that a copy of the building permit shall be supplied to the Illinois State Library prior to the actual construction and that the permit shall be posted in a prominent place on the construction site.

17) An assurance that all contractors and subcontractors shall comply with the provision of the Copeland Anti-Kick Back Act (40 USC 8566- 276c (1982)) supplemented in U.S. Department of Labor regulations (29 CFR 3 (1985)). The material incorporated by reference includes no later amendments or editions.

18) An assurance that contractors and subcontractors shall comply with all applicable provisions of the Illinois Human Rights Act [775 ILCS 5] and all Federal and State laws, rules, and regulations which prohibit discrimination because of race, color, religion, sex, marital status, national origin, ancestry, age, and physical or mental handicap.

19) An assurance that architectural, engineering and land surveying contracts will be made in accordance with the Local Government Professional Services Selection Act [50 ILCS 510].

20) An assurance that construction contracts signed by both the library board (or library system board) and contractors will be prepared on standard American Institute of Architecture (AIA) forms that are submitted to the Illinois State Library prior to the start of construction; also, all subcontractors are to perform work in accordance with the conditions and standards contained in the contracts signed by the board and the Illinois State Library. The Illinois State Library shall have the right to disapprove any such contracts between the library board or library system board and contractors if:

A) The bidding procedure outlined in subsection (c)(14) was not followed.

B) The conditions and standards specified in the contract between the Illinois State Library and the library board are not incorporated into the contracts between the library board or library system board and the contractors.

21) An assurance that a revised budget will be prepared after bids have been accepted and will be submitted to the Illinois State Library for approval prior to actual construction. Such approval will be based on the exercise of professional judgment to insure that the provision of library services will not be harmed by the changes reflected in the revised budget. Such approval will also be based on the reduction in the contingency line item from 5% in the original budget to 2% of total project cost in the revised budget. Grant monies awarded are based on the amount specified in the original budget; grant awards will not be increased because of subsequent increases in revised budgets.

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22) An assurance that a plaque will be placed in the completed building stating that State funds administered by the Secretary of State and State Librarian were used for the building's construction.

23) An assurance that permits any agent authorized by the Illinois State Library, upon presentation of credentials to, in accordance with the constitutional limitation on administrative searches, have full access to and the right to examine any records, books, papers, or documents, of the grantee involving transactions related to the grant.

24) An assurance that the construction will not commence until the construction contract is fully executed with required signatures by the Secretary of State, the Illinois State Library and the grantee, but will commence within 140 days after the effective date of the grant contract, and that the Project will be completed within a reasonable length of time.

25) An assurance that a sign will be displayed on the construction site stating that State funds administered by the Secretary of State and State Librarian are being used for the construction.

26) An assurance that the following reports and records will be completed and transmitted to the Illinois State Library: Monthly reports of interest earned on grant funds, quarterly narrative and financial reports; notification within 15 days after completion of the project; a close-out report which is a final financial and narrative report within 90 days after the completion of the project; and other reports and documents, such as prevailing wage rates and receipts to verify vouchers, as reasonably may be required by the State.

A) Financial reports shall show the amount of authorized State and local funds, interest earned on grant funds, expenditures made from grant funds and from interest earned on grant funds, obligated funds by amount and by percentage of line item remaining as compared to the original budget.

B) Narrative reports shall state the progress of the Project, accomplishments to date, problems encountered, objectives met and unmet, changes implemented, and the percentage of completion of the Project to date.

C) The close-out report shall evaluate the degree to which the grantee achieved the goals and objectives of the Project. If required by the State, the the close-out report shall include a project audit report which shall be completed by an independent certified public accountant or accounting firm using Government Auditing Standards, 1994 revision (U.S. General Accounting Office, Comptroller General of the United States, c/o U.S. Gov. Bookstore, One Congress Center, 401 S. State, Suite 124, Chicago IL 60605) generally accepted accounting principles. The project audit report shall include financial statements and compliance statements

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(which indicate that grant funds monies have been obligated in compliance with applicable laws and regulations of the State of Illinois and this Part).

27) An assurance that the building will remain in use as a public library or library system facility for not less than 20 years after its construction unless other use is approved by the Illinois State Library.

28) An assurance letter from the Illinois Historic Preservation Agency evidencing compliance with the Illinois State Agency Historic Resources Preservation Act [20 ILCS 3420].

29) An assurance letter from the Illinois State Water Survey Division of the Illinois Department of Energy--and Natural Resources stating that the project site is not located in a Special Flood Hazard Area. If the project site is located in a Special Flood Hazard Area, the applicant shall submit an assurance letter from the Office Division of Water Resources of the Illinois Department of Natural Resources transportation, stating that the project meets the requirements of Executive Order 79-4 regarding flood damages.

30) An assurance that any change in the plans and specifications requiring a work change order will be submitted to the Illinois State Library; any change order of \$10,000 or more will be submitted to the Illinois State Library for approval prior to being effected. The change order will be approved if the change does not have an adverse impact on library services.

31) An assurance that any interest earned on the grant funds will be expended, without limitation or exception, exclusively on the subject construction project.

d) All applications will be considered by the Illinois State Library Advisory Committee in accordance with the provisions of this Part.

(Source: Amended at 23 Ill. Reg. 12717, effective July 4, 1983)

Section 3060.900 Requirements and Conditions of Grant Funds

a) Building Construction Plans

1) Library buildings are to be planned for 20 year population projection (for new construction and additions to buildings).

2) A library building consultant shall be retained by the grantee throughout the planning and construction if the total cost of the project exceeds \$150,000.

3) The architects and/or engineers employed in the design and construction of the project must be registered to practice in the State of Illinois.

4) The library must meet the eligibility criteria to qualify for per capita grants provided in 75 ILCS 10/8.1, and submit an application for such grants. This subsection shall not apply to

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library systems.

5) The library or system facility shall provide access for the physically handicapped as required in Accessibility Standards Illustrated (71 Ill. Adm. Code 400), published by the Illinois Capital Development Board, and shall display the symbol of accessibility.

b) The library or library system shall own the proposed building site in fee simple title, or show the legal right to use the said premises for a minimum of 20 years ~~an unlimited duration~~.

c) A project will not be advertised or placed on the market for bidding until the final working drawings and specifications have been approved by the Illinois State Library.

d) All contracts for library construction shall be awarded to the lowest qualified bidder on the basis of open competitive bidding; however, if one or more items of construction are covered by an established alternative procedure used by a local unit of government, consistent with State and local laws and regulations, and approved by the Illinois State Library as designed to assure construction in an economical manner consistent with sound business practices, such alternative procedure may be followed, as is consistent with State statutes and local ordinances.

e) Contractors and subcontractors shall submit with each request for payment the weekly payroll forms required by the Davis-Bacon Act (40 USC 8-6-6- 327 et seq. (1982)).

f) The library system of which the applicant is a member shall be notified of the proposed project; a copy of the completed application shall be sent to the library system director by the applicant at the time that the paperwork is submitted to the Illinois State Library. This subsection shall not apply where the library system is the applicant.

g) The grant recipient must secure a fidelity bond naming the Office of the Illinois Secretary of State as the exclusive beneficiary in an amount equal to 1.25 times the grant award. Failure to submit said fidelity bond by scheduled award date may result in loss of grant.

h) The Library Board shall establish and maintain such records and accounts as will permit accurate and expeditious audits at any time, before, during, and after completion of construction; such records shall be retained for not less than the time provided for by the Local Records Act [50 ILCS 205].

i) The Library Board shall comply with all applicable provisions of the Illinois Procurement Code ~~Purchasing-Act~~ [30 ILCS 500505].

j) The library must permit intersystem reciprocal borrowing.

(Source: Amended at 23 Ill. Reg. 12717, effective July 4, 1983)

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Job Training and Economic Development Demonstration Grant Program

- 2) Code Citation: 56 Ill. Adm. Code 2660

- 3) Section Numbers: Emergency Action:

2660.120 Amended
2660.180 Amended
2660.220 Amended
2660.270 Amended

- 4) Statutory Authority: Implementing Section 46.19j of the Civil Administrative Code of Illinois [20 ILCS 605/46.19j] and authorized by Section 46.20 of the Civil Administrative Code of Illinois [20 ILCS 605/46.20].

- 5) Effective Date of Amendment: October 4, 1999

- 6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it will expire: None

- 7) Date Filed in Agency's Principal Office: October 4, 1999

- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

- 9) Reason for Emergency: Public Law 90-758 amends the Job Training and Economic Development Demonstration Grant Program by providing funding from two sources, one million dollars from DCCA General Revenue Fund and one million dollars from DHS TANF funding. A recent amendment to Public Act 90-758 permits negotiations of second year funding with grantees running successful programs rather than requiring another RFP process. Consistent with that amendment, it is the intentions of DCCA and DHS to negotiate continuation funding for a second year with successful grantees selected through the original competitive process. FY 2000 grant funds must be expended by June 30, 2000 and performance is measured in part on 90/150-day job retention. In the absence of this emergency amendment, FY 2000 funds may not, therefore, be fully utilized in accordance with the intent of the legislation.

- 10) Complete Description of the Subjects and Issues Involved: This rulemaking specifies application procedures for Continuation Grants for both the Industry Linked Training for Low Wage Workers and the Industry Linked Training for Unemployed Disadvantaged Persons programs. It further defines the selection criteria for both programs.

- 11) Are there any Proposed Amendments to this Part? No

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- 12) Statement of Policy Objectives: This rulemaking does not create or expand a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805].

- 13) Information and questions regarding this emergency amendment shall be directed to:

Lyle Neumann
Department of Commerce and Community Affairs
Job Training Division
620 East Adams Street, S-4
Springfield, Illinois 62701
217/557-3654
Fax: 217/785-6454
TDD: 217/785-6055

The full text of the emergency amendments begins on the next page:

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF EMERGENCY AMENDMENTS

TITLE 56: Labor and Employment
CHAPTER III: Department of Commerce and Community Affairs

PART 2660

Job Training and Economic Development Demonstration Grant Program

SUBPART A: General Requirements

Section	Purpose
2660.10	Definitions
2660.20	Eligible Grant Applicants
2660.30	Administration Requirements
2660.40	

SUBPART B: Industry Linked Training for Low Wage Workers

Section	Program Goal
2660.110	Application Procedures
2660.120	Allowable Activities
2660.130	Allowable Costs
2660.140	Employer Role
2660.150	Participant Eligibility
2660.160	Employer Eligibility
2660.170	Grant Selection Criteria
2660.180	

EMERGENCY

SUBPART C: Industry Linked Training for Unemployed Disadvantaged Persons

Section	Program Goal
2660.210	Application Procedures
2660.220	Allowable Activities
2660.230	Allowable Costs
2660.240	Employer Role
2660.250	Participant Eligibility
2660.260	Grant Selection Criteria
2660.270	

EMERGENCY

AUTHORITY: Implementing Section 46.19j of the Civil Administrative Code of Illinois [20 ILCS 605/46.19j] and authorized by Section 46.20 of the Civil Administrative Code of Illinois [20 ILCS 605/46.20].

SOURCE: Emergency rule adopted at 21 Ill. Reg. 12256, effective August 25, 1997, for a maximum of 150 days; adopted at 22 Ill. Reg. 1182, effective December 30, 1997; emergency amendment at 23 Ill. Reg. 12729, effective

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October 4, 1999.

SUBPART B: INDUSTRY LINKED TRAINING FOR LOW WAGE WORKERS

Section 2660.120 Application Procedures

EMERGENCY

a) Initial Application and Awards

Contingent upon the availability of funds, the Department shall initially annually issue a Request for Proposal (RFP) to interested community-based providers. The Department shall advertise the availability of the RFP and maintain a bidders list of community-based providers for this purpose. The Department shall review all applications submitted in accordance with RFP instructions and make all grant awards on a competitive basis. The RFP shall include but is not limited to:

- 1)a) a description of the purpose of the grant program.
- 2)b) a discussion of activities and costs eligible for reimbursement.
- 3)c) a format for preparation of grant applications including:
 - A) a description of the community-based provider;
 - B) a description of the partnership agreement with local businesses;
 - C) a narrative description of the proposed training program (including the targeted industries and occupations, the curriculum, and the role of local employers in the delivery of training);
 - D) a description of the local employers' role in assessing skill needs, curriculum development, the provision of training and placement of program completers;
 - E) the specific activities and costs proposed for grant reimbursement;
 - F) projected outcomes from grant activities including a description of deliverable products, the number of low wage and recently hired disadvantaged persons to be trained and the likely effect training will have on their future earnings;
 - G) a description of the qualifications of key personnel to be assigned to the project;
 - H) a requested budget; and
 - I) supporting budget justification.
- 4)d) a schedule for the submittal, review, and selection of grant applicants for funding.

b) Continuation Grants

Pursuant to 20 ILCS 605/46.19(f), and contingent upon availability of funds, the Department may negotiate continuation grants for projects that were originally competitively procured and performed successfully. An application shall include but not be limited to:

- 1) a description of the purpose of the grant program.

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- 2) a discussion of activities and costs eligible for reimbursement.
- 3) a format for preparation of grant applications, including:
- A) a description of the community-based provider;
- B) a description of the partnership agreement with local businesses;
- C) a narrative description of the proposed training program (including the targeted industries and occupations, the curriculum, and the role of local employers in the delivery of training);
- D) a description of the local employers' role in assessing skill needs, curriculum development, the provision of training and placement of program completers;
- E) the specific activities and costs proposed for grant reimbursement;
- F) projected outcomes from grant activities, including a description of deliverable products and the number of low wage and recently hired disadvantaged persons to be trained and the likely effect training will have on their future earnings;
- G) a description of the qualifications of key personnel to be assigned to the project;
- H) a requested budget;
- I) supporting budget justification;
- J) a detailed comparison of previous years' projected outcomes with actual performance; and
- K) a narrative description of the accomplishments under the projects to be continued.
- 4) a schedule for the submittal and review of applications, and selection of grant applicants for funding.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 12729, effective October 4, 1999, for a maximum of 150 days)

Section 2660.180 Grant Selection Criteria

EMERGENCY

The Department shall consider the following criteria in making funding decisions:

- a) the performance of meeting the goals of the previous years' grant, including the level of success in achieving employment, wage, and retention goals, shall be the primary consideration in contract awards and subsequent funding levels;
- b) the experience of the community-based provider serving low wage, low skilled workers and disadvantaged persons, including welfare recipients;
- c) the level of participation of local employers in the Training Partnership and proposed work plan;
- d) the amount of matching funds (either cash or in-kind) provided by the

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- local employers;
- e) d) the likelihood that training will result in increased earnings for program participants;
- f) e) the qualifications of personnel assigned to the proposed project;
- g) f) the quality of the proposed curricula and related materials; and
- h) g) reasonableness of the proposed costs in relation to the number of low wage workers and disadvantaged persons to be trained.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 12729, effective October 4, 1999, for a maximum of 150 days)

SUBPART C: INDUSTRY LINKED TRAINING FOR UNEMPLOYED DISADVANTAGED PERSONS

Section 2660.220 Application Procedures

EMERGENCY

- a) Initial Applications and Awards
- Contingent upon the availability of funds, the Department shall initially ~~annually~~ issue a Request for Proposal (RFP) to interested community-based providers. The Department shall advertise the availability of the RFP and maintain a bidders list of community-based providers for this purpose. The Department shall review all applications submitted in accordance with RFP instructions and make all grant awards on a competitive basis. The RFP shall include but is not limited to:
- 1) a) a description of the grant program.
- 2) b) a discussion of activities and costs eligible for reimbursement.
- 3) c) a format for preparation of grant applications including:
- A) 1) a description of the community-based provider;
- B) 2) a description of the partnership agreement with local businesses and economic development organizations;
- C) 3) a narrative description of the proposed industry linked program to be developed including identification of targeted industries and occupations;
- 4) a) a description of the local employers' role in assessing--skill needs--curriculum--development--the--provision--of--training--and placement--of--program--completers;
- D) 5) the specific activities and costs proposed for grant reimbursement;
- E) 6) projected outcomes from grant activities including a description of deliverable products, the number of participants to be placed in employment, and the average wage at placement;
- F) 7) a description of the qualifications of personnel to be assigned to the project;
- G) 8) a requested budget; and
- H) 9) supporting budget justification.
- 4) d) a schedule for the submittal, review, and selection of grant

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applicants for funding.

- b) Continuation Grants Pursuant to 20 ILCS 605/46.191(f), and contingent upon availability of funds, the Department may negotiate continuation grants for projects that were originally competitively procured and performed successfully. An application shall include but not be limited to:
- 1) a description of the purpose of the grant program.
 - 2) a discussion of activities and costs eligible for reimbursement.
 - 3) a format for preparation of grant applications, including:
 - A) a description of the community-based provider;
 - B) a description of the partnership agreement with local businesses;
 - C) a narrative description of the proposed training program (including the targeted industries and occupations, the curriculum, and the role of local employers in the delivery of training);
 - D) the specific activities and costs proposed for grant reimbursement;
 - E) projected outcomes from grant activities, including a description of deliverable products and the number of low wage and recently hired disadvantaged persons to be trained and the likely effect training will have on their future earnings;
 - F) a description of the qualifications of key personnel to be assigned to the project;
 - G) a requested budget;
 - H) supporting budget justification;
 - I) a detailed comparison of previous years' projected outcomes with actual performance; and
 - J) a narrative description of the accomplishments under the projects to be continued.
 - 4) a schedule for the submittal and review of applications, and selection of grant applicants for funding.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 12729, effective October 4, 1999, for a maximum of 150 days)

Section 2660.270 Grant Selection Criteria

EMERGENCY

- The Department shall consider the following criteria in making funding decisions:
- a) the performance of meeting the goals of the previous year's grant, including the level of success in achieving employment, wage, and retention goals, shall be the primary consideration in contract awards and subsequent funding levels;
 - b) experience of the community-based provider serving disadvantaged persons, including welfare recipient;

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- c) level of participation of local employers in the Training Partnership and proposed work plan;
- d) likelihood of placement of disadvantaged persons in the specific target occupations within the targeted industries and the average wage at placement;
- e) qualifications of personnel assigned to the proposed project;
- f) technical quality of the proposed work plan; and
- g) reasonableness of the proposed costs.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 12729, effective October 4, 1999, for a maximum of 150 days)

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

1) Heading of the Part: Child Support Enforcement

2) Code Citation: 89 Ill. Adm. Code 160

3) Section Numbers: Emergency Action:

160.5 Amendment
160.60 Amendment
160.75 Amendment
160.95 New Section
160.100 Amendment
160.110 Amendment
160.120 Amendment
160.130 Amendment
160.132 Amendment
160.134 Amendment
160.136 Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13], Public Law 104-193 and Public Act 91-0212

5) Effective Date: October 1, 1999

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable

7) Date filed with the Index Department: October 1, 1999

8) A copy of the emergency amendment, including any materials incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Reason for Emergency: These emergency amendments are being filed pursuant to Public Act 91-0212 and federal requirements under Public Law 104-193. The changes are necessary to comply with the Title IV-D State Plan requirement for states to establish a State Disbursement Unit (SDU), by October 1, 1999, to collect and disburse support payments in IV-D cases, and in non-IV-D cases with support orders entered after January 1, 1994, under which support is paid by income withholding. These changes also require entry of support orders providing for payment of support to the SDU, service of income withholding notices within two business days after entry of the support order, and distribution of support collections within two business days after receipt by the SDU. Immediate implementation of these emergency amendments is necessary to insure the timely establishment of these new requirements and thereby protect the interests of child support recipients.

10) Complete Description of the Subjects and Issues Involved: This proposed rulemaking concerning child support enforcement amends provisions on the

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establishment of support obligations, income withholding and distribution of support collections, and adds a new Section providing for the State Disbursement Unit (SDU). These proposed changes require entry of support orders providing for payment of support to the SDU, service of income withholding notices within two business days after entry of the support order or location of the payor of income, and distribution of support collections within two business days after receipt by the SDU. These changes are necessary to comply with the Title IV-D State Plan that requires states to establish an SDU, by October 1, 1999, to collect and disburse support payments in IV-D cases, and in non-IV-D cases with support orders entered after January 1994, under which support is paid by income withholding. Illinois' SDU is being established under the authority of Public Act 91-0212. These amendments also respond to federal requirements under Public Law 104-193 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996).

The anticipated fiscal year 2000 expenditure increases resulting from these proposed amendments are as follows:

For establishing the State Disbursement Unit and first year operating costs, the impact is expected to be approximately \$7.5 million for fiscal year 2000.

The impact of distributing support collections within two business days after receipt by the State Disbursement Unit, instead of the current four to six day turnaround, is expected to be approximately \$1.9 million.

11) Are there any other proposed amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
160.30	Amendment	December 4, 1998 (22 Ill. Reg. 20755)
160.62	Repeal	December 4, 1998 (22 Ill. Reg. 20755)
160.70	Amendment	September 17, 1999 (23 Ill. Reg. 11407)

12) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

13) Information and questions regarding this amendment shall be directed to:

Joanne Jones
Office of the General Counsel - Rules
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, Illinois 62763-0002

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(217) 524-0081

The full text of the emergency amendments begins on the next page:

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NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER f: COLLECTIONS

PART 160

CHILD SUPPORT ENFORCEMENT

SUBPART A: GENERAL PROVISIONS

Section	Incorporation By Reference
160.1	Definitions
160.5	
<u>EMERGENCY</u>	
160.10	Child Support Enforcement Program
160.12	Administrative Accountability Process
160.15	Application Processing Fee for IV-D Non-TANF Cases
160.20	Assignment of Rights to Support
160.25	Recoupment

SUBPART B: COOPERATION WITH CHILD SUPPORT ENFORCEMENT

Section	Cooperation With Support Enforcement Program
160.30	Good Cause for Failure to Cooperate with Support Enforcement
160.35	Proof of Good Cause For Failure to Cooperate With Support Enforcement
160.40	Suspension of Child Support Enforcement Upon Finding of Good Cause
160.45	

SUBPART C: ESTABLISHMENT AND MODIFICATION OF
CHILD SUPPORT ORDERS

Section	Establishment of Support Obligations
<u>.75.60</u>	
<u>EMERGENCY</u>	
160.61	Uncontested and Contested Administrative Paternity and Support
160.62	Cooperation with Paternity Establishment and Continued Eligibility
	Demonstration Program
160.65	Modification of Support Obligations

SUBPART D: ENFORCEMENT OF CHILD SUPPORT ORDERS

Section	Enforcement of Support Orders
160.70	Credit for Payments Made Directly to the Title IV-D Client
160.71	Withholding of Income to Secure Payment of Support
160.75	
<u>EMERGENCY</u>	
160.77	Certifying Past-Due Support Information or Failure to Comply with a
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160.85 Diligent Efforts to Serve Process
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SUBPART E: EARMARKING CHILD SUPPORT PAYMENTS

Section
160.90 Earmarking Child Support Payments

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Section
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160.100 Distribution of Child Support for TANF Recipients

160.110 Distribution of Child Support for Former AFDC or TANF Recipients
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160.120 Distribution of Child Support Collected While the Client Was an AFDC or TANF Recipient, But Not Yet Distributed at the Time the AFDC or TANF Case Is Cancelled

160.130 Distribution of Intercepted Federal Income Tax Refunds

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SUBPART G: STATEMENT OF CHILD SUPPORT ACCOUNT ACTIVITY

Section
160.140 Statement of Child Support Account Activity

SUBPART H: DEPARTMENT REVIEW OF DISTRIBUTION OF CHILD SUPPORT

Section
160.150 Department Review of Distribution of Child Support for TANF Recipients
160.160 Department Review of Distribution of Child Support for Former AFDC or TANF Recipients

AUTHORITY: Implementing and authorized by Sections 4-1.7, Art. X, 12-4.3 and 12-13 of the Illinois Public Aid Code [305 ILCS 5/4-1.7, Art. X, 12-4.3 and 12-13].

SOURCE: Recodified from 89 Ill. Adm. Code 112.78 through 112.86 and 112.88 at 10 Ill. Reg. 11928; amended at 10 Ill. Reg. 19990, effective November 14, 1986;

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emergency amendment at 11 Ill. Reg. 4800, effective March 5, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9129, effective April 30, 1987; amended at 11 Ill. Reg. 15208, effective August 31, 1987; emergency amendment at 11 Ill. Reg. 1563, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 9065, effective May 16, 1988; amended at 12 Ill. Reg. 18185, effective November 4, 1988; emergency amendment at 12 Ill. Reg. 20835, effective December 2, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 22278, effective January 1, 1989; amended at 13 Ill. Reg. 4268, effective March 21, 1989; amended at 13 Ill. Reg. 7761, effective May 22, 1989; amended at 13 Ill. Reg. 14385, effective September 1, 1989; amended at 13 Ill. Reg. 16768, effective October 12, 1989; amended at 14 Ill. Reg. 18759, effective November 9, 1990; amended at 15 Ill. Reg. 1034, effective January 21, 1991; amended at 16 Ill. Reg. 1852, effective January 20, 1992; amended at 16 Ill. Reg. 9997, effective June 15, 1992; amended at 17 Ill. Reg. 2272, effective February 11, 1993; amended at 17 Ill. Reg. 18844, effective October 18, 1993; amended at 18 Ill. Reg. 697, effective January 10, 1994; amended at 18 Ill. Reg. 12052, effective July 25, 1994; amended at 18 Ill. Reg. 15083, effective September 23, 1994; amended at 18 Ill. Reg. 17886, effective November 30, 1994; amended at 19 Ill. Reg. 1314, effective January 30, 1995; amended at 19 Ill. Reg. 8298, effective June 15, 1995; amended at 19 Ill. Reg. 12675, effective August 31, 1995; emergency amendment at 19 Ill. Reg. 15492, effective October 30, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 1195, effective January 5, 1996; amended at 20 Ill. Reg. 5659, effective March 28, 1996; emergency amendment at 20 Ill. Reg. 14002, effective October 15, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. 1189, effective January 10, 1997; amended at 21 Ill. Reg. 3922, effective March 13, 1997; emergency amendment at 21 Ill. Reg. 8594, effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9220, effective July 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 12197, effective August 22, 1997; amended at 21 Ill. Reg. 16050, effective November 26, 1997; amended at 22 Ill. Reg. 14895, effective August 1, 1998; emergency amendment at 22 Ill. Reg. 17046, effective September 10, 1998, for a maximum of 150 days; amended at 23 Ill. Reg. 2313, effective January 22, 1999; emergency amendment at 23 Ill. Reg. 11715, effective September 1, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 12737, effective October 1, 1999, for a maximum of 150 days.

SUBPART A: GENERAL PROVISIONS

Section 160.5 Definitions
EMERGENCY

"AFDC" refers to the Aid to Families with Dependent Children Program, Title IV-A of the Social Security Act (42 USC 601 et seq.) that is financial and medical assistance available to families with one or more dependent children

"AFDC MANG" refers to Medical Assistance No Grant cases in which

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medical assistance only is available to families with one or more dependent children.

"AFDC MANG recipient" refers to a member of a family with one or more dependent children receiving medical assistance only in the current month.

"AFDC recipient" refers to a person who is receiving financial and medical assistance under the AFDC program in the current month.

"Assignment of Medical Support" refers to the transfer of support rights to the Department by the acceptance of Medicaid benefits under 42 USC 85-8-e- 1396k and Section 10-1 of the Illinois Public Aid Code [305 ILCS 5/10-1].

"Assignment of support" refers to the transfer of support rights to the Department by the acceptance of AFDC benefits, pursuant to 42 USC 85-8-e- 602(a)(26)(A) and Section 10-1 of the Illinois Public Aid Code [305 ILCS 5/10-1] or the Department of Children and Family Services ("DCFS"), in the case of IV-E foster care, pursuant to 42 USC 85-8-e- 671(a)(17) and Section 9.1 of the Children and Family Services Act [20 ILCS 505/9.1].

"Assistance Standard" shall have the meaning ascribed to it in 89 Ill. Adm. Code 111.

"Cancellation" refers to the discontinuance of AFDC financial and medical benefits for an assistance unit because of the failure to satisfy the conditions of eligibility under the Title IV-A State Plan.

"Child support enforcement services" refers to those services provided to establish, enforce and collect support, in accordance with an approved State Plan under Title IV-D of the Social Security Act (42 USC 85-8-e- 654).

"Date of Collection" for distribution purposes in all cases refers to the date on which (a) a payor of income withholds an amount from a responsible relative's wages or other income to meet a support obligation when there is a served income withholding notice, (b) the Department of Employment Security withholds an amount from a responsible relative's unemployment insurance benefits ("UIB") to meet a support obligation when there is withholding of UIB, or (c) a collection as a result of intercept of a federal income tax refund is received by the Department, or (d) in all other instances, a support payment is received by the State Disbursement Unit ~~Clerk-of-the-Court or-the-Department-whichever-date-is-earlier~~.

"Key Information Delivery System" Family-Support-Information-System"

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or "KIDS" ~~PROGRAMS~~ refers to the data processing system used to process all IV-D cases in Illinois.

"IV-D account receivable" or "support account" refers to a part of the accounting system in KIDS ~~PROGRAMS~~ used to record charges, payments, and account adjustments for a particular account. More than one account may exist for a given caretaker relative and for a given responsible relative. For example, a mother with two children by one father from one marriage, and three children by a second father from another marriage, will have two support accounts if there are two separate support obligations. If children are born in a non-marital relationship, there will be one account per child.

"IV-D program" or "IV-D" refers to the child support program set forth in 42 USC 85-8-e- 651 et seq. and this Part.

"IV-E foster care" or "IV-E" refers to the foster care program set forth in 42 USC 85-8-e- 670 et seq.

"Initial receipt in the State" for disbursement purposes in all cases refers to the date on which the Department of Employment Security withholds an amount from a responsible relative's unemployment insurance benefits ("UIB") to meet a support obligation, when there is a withholding of UIB, a collection as a result of intercept of a federal income tax refund is received by the Department, or in all other instances, a support payment is received by the State Disbursement Unit ~~Clerk-of-the-Court-or-the-Department-whichever-date-is-earlier~~.

"MANG" refers to Medical Assistance No Grant under the Medicaid program, Title XIX of the Social Security Act (42 USC 85-8-e- 139k), that is medical assistance to families and individuals wherein no cash payment is made.

"Responsible relative" refers to a person who is responsible, or alleged to be responsible, under law for support of a dependent.

"Support case" refers to a case established in the KIDS ~~PROGRAMS~~ for the purpose of providing establishment, enforcement and collection services to dependent children and their custodial parent, in accordance with the provisions of Title IV-D of the Social Security Act (42 USC 85-8-e- 654).

"Support obligation" refers to the duty a non-custodial relative owes to his or her dependents, as set forth in a legally-valid court or administrative order.

"Unreimbursed AFDC" refers to the total amount of financial assistance

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provided to a family unit, in accordance with Title IV-A of the Social Security Act (42 USC 601 et seq.) for which the State and Federal governments have not been reimbursed. The State and Federal governments are limited in the amount of support payments they may retain for "unreimbursed AFDC", in accordance with the provisions set forth in Sections 160.100, 160.110 and 160.130 of this Part. The amount of unreimbursed assistance accrued prior to the AFDC cancellation", reported in the Department's "Statements of Child Support Account Activity for Former Recipients" (see Section 160.140), is that limited amount which the Department is entitled to retain.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 12737 effective October 1, 1999, for a maximum of 150 days)

SUBPART C: ESTABLISHMENT AND MODIFICATION OF
CHILD SUPPORT ORDERS**Section 160.60 Establishment of Support Obligations****EMERGENCY**

a) Definitions

- 1) "FSS" means any Family Support Specialist performing assigned duties, his supervisory staff and any other person assigned responsibility by the Director of the Department.
- 2) "Service" or "Served" means notice given by certified mail, return receipt requested, or by any method provided by law for service of summons. (See Sections 2-203 and 2-206 of the Civil Practice Law [735 ILCS 5/2-203 and 2-206].)
- 3) "Support Statutes" means the following:
 - A) Article X of the Illinois Public Aid Code [305 ILCS 5/Art. XI];
 - B) The Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5];
 - C) The Non-Support Punishment Act [750 ILCS 16] ~~of Spouse-and Children-Act-[750-55CS-15];~~
 - D) The Uniform Interstate Family Support Act [750 ILCS 22];
 - E) The Illinois Parentage Act of 1984 [750 ILCS 45]; and
 - F) Any other statute in another state which provides for child support.

- 4) "Retroactive support" means support for a period prior to the date a court or administrative support order is entered.
- 5) "Child's needs" means the cost of raising a child as detailed by either:
 - A) the custodial parent's statement of the associated costs including, but not limited to, providing a child with: food, shelter, clothing, schooling, recreation, transportation and medical care; or
 - B) the Department's standard for the costs of raising a child

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taking into account average actual costs of providing a child with: food, shelter, clothing, schooling, recreation, transportation and medical care in a manner consistent with health and well being as set forth in this Part.

b) Responsible Relative Contact

- 1) Timing and Purpose of Contact
 - A) The Department shall contact and interview responsible relatives in Title IV-D cases to establish support obligations, following the IV-D client interview.
 - B) The purpose of contact and interview shall be to obtain relevant facts including income information (for example, paycheck stubs, income tax returns) necessary to determine the financial ability of such relatives for use in obtaining stipulated, consent and other court orders for support and in entering administrative support orders, pursuant to the support statutes.
- 2) At least ten working days in advance of the interview, the Department shall notify each responsible relative contacted of his support obligation, by ordinary mail, which notice shall contain the following:
 - A) the Title IV-D case name and identification number;
 - B) the names and birthdates of the persons for whom support is sought or other information identifying such persons, such as a prior court number;
 - C) that the responsible relative has a legal obligation to support the named persons;
 - D) the date, time, place and purpose of the interview and that the responsible relative may be represented by counsel; and
 - E) that the responsible relative should bring specified information regarding his income and resources to the interview.
- 3) The Department shall notify each Title IV-D client of the date, time and place of the responsible relative interview and that the client may attend if he or she chooses.

c) Determination of Financial Ability

- 1) In cases handled under subsection (d) of this Section, the Family Support Specialist shall determine the amount of child support and enter an administrative support order on the following basis:

Number of Children	Percent of Responsible Relative's Net Income
1	20%
2	25%
3	32%
4	40%
5	45%
6 or more	50%

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- A) "Net Income" is the total of all income from all sources, minus the following deductions:
- Federal income tax (properly calculated withholding or estimated payments);
 - State income tax (properly calculated withholding or estimated payments);
 - Social Security (FICA payments);
 - Mandatory retirement contributions required by law or as a condition of employment;
 - Union dues;
 - Dependent and individual health/hospitalization insurance premiums;
 - Prior obligations of support or maintenance actually paid pursuant to a court order or administrative support order;
 - Expenditures for repayment of debts that represent reasonable and necessary expenses for the production of income;
 - Medical expenditures necessary to preserve life or health; and
 - Reasonable expenditures for the benefit of the child and the other parent, exclusive of gifts.

- B) The deductions in subsections (c)(1)(A)(viii), (ix) and (x) of this Section shall be allowed only for the period that such payments are due. The Department shall enter administrative support orders which contain provisions for an automatic increase in the support obligation upon termination of such payment period.
- 2) In de novo hearings provided in subsection (d)(5)(G) of this Section and 89 Ill. Adm. Code 104.102, the Department's hearing officer shall determine the minimum amount of child support as follows:

Number of Children	Percent of Responsible Relative's Net Income
1	20%
2	25%
3	32%
4	40%
5	45%
6 or more	50%

- A) "Net Income" is the total of all income from all sources, minus the following deductions:
- Federal income tax (properly calculated withholding or estimated payments);
 - State income tax (properly calculated withholding or estimated payments);

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- Social Security (FICA payments);
 - Mandatory retirement contributions required by law or as a condition of employment;
 - Union dues;
 - Dependent and individual health/hospitalization insurance premiums;
 - Prior obligations of support or maintenance actually paid pursuant to a court order or administrative support order;
 - Expenditures for repayment of debts that represent reasonable and necessary expenses for the production of income;
 - Medical expenditures necessary to preserve life or health; and
 - Reasonable expenditures for the benefit of the child and the other parent, exclusive of gifts.
- B) The deductions in subsections (c)(2)(A)(viii), (ix) and (x) of this Section shall be allowed only for the period that such payments are due. The Department shall enter administrative support orders that contain provisions for an automatic increase in the support obligation upon termination of such payment period.
- C) The above guidelines shall be applied in each case unless the Department finds that application of the guidelines would be inappropriate after considering the best interests of the child in light of evidence including but not limited to one or more of the following relevant factors:
- the financial resources and needs of the child;
 - the financial resources and needs of the custodial parent;
 - the standard of living the child would have enjoyed had the marriage not been dissolved, the separation not occurred or the parties married;
 - the physical and emotional condition of the child, and his educational needs; and
 - the financial resources and needs of the non-custodial parent.
- D) Each order requiring support that deviates from the guidelines shall state the amount of support that would have been required under the guidelines. The reason or reasons for the variance from the guidelines shall be included in the order.
- 3) In cases referred for judicial action under subsection (e) of this Section, the Department's legal representative shall ask the court to determine the amount of child support due in accordance with Section 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505].
- 4) All orders for support shall include a provision for the health

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care coverage of the child. In all cases where health/hospitalization insurance coverage is not being furnished by the responsible relative to a child to be covered by a support order, the Department shall enter administrative, or request the court to enter support orders requiring the relative to provide such coverage when a child can be added to an existing insurance policy at reasonable cost or indicating what alternative arrangement for health/hospitalization insurance coverage is being provided. However, in Title IV-D non-TANF cases where the client is neither an applicant for nor a recipient of Medical Assistance, the Department shall enter or request such support orders only with the client's consent. Net income shall be reduced by the cost thereof in determining the minimum amount of support to be ordered.

5) When proceeding under subsection (d) of this Section, the Department shall, in any event, notwithstanding other provisions of this subsection and regardless of the amount of the responsible relative's net income, order the responsible relative to pay child support of at least \$10.00 per month.

6) In cases where the net income of the responsible relative cannot be determined because of default or any other reason, the Department shall order or request the court to order the responsible relative to pay retroactive support for the prior period in the amount of the child's needs as defined by subsection (a)(5)(A) or (B) of this Section.

7) The final order in all cases shall state the support level in dollar amounts.

8) If there is no net income because of the unemployment of a responsible relative who resides in Illinois and is not receiving General Assistance in the City of Chicago and has children receiving cash assistance in Illinois, the Department, when proceeding under subsection (d) of this Section, shall order, or, when proceeding under subsection (e) of this Section, shall request the court to order the relative to report for participation in job search, training or work programs established for such relatives. In TANF cases, the Department shall order, when proceeding under subsection (d) of this Section, or, when proceeding under subsection (e) of this Section, shall request the court to order, payment of past-due support pursuant to a plan and, if the responsible relative is unemployed, subject to a payment plan and not incapacitated, that the responsible relative participate in job search, training and work programs established under Section 9-6 and Article IXA of the Illinois Public Aid Code [305 ILCS 5/9-6 and Art. IXA].

9) The Department shall enter administrative support orders, or request the court to enter support orders, that include a provision requiring the responsible relative to notify the Department, within seven days:

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- A) of any new address of the responsible relative;
- B) of the name and address of any new employer or source of income of the responsible relative;
- C) of any change in the responsible relative's Social Security Number;
- D) whether the responsible relative has access to health insurance coverage through the employer or other group coverage; and
- E) if so, the policy name and number and the names of persons covered under the policy.

10) The Department shall enter administrative support orders, or request the court to enter support orders, that include a date on which the current support obligation terminates. The termination date shall be no earlier than the date on which the child covered by the order will attain the age of majority or is otherwise emancipated. The order for support shall state that the termination date does not apply to any arrearage that may remain unpaid on that date. The provision of a termination date in the order shall not prevent the order from being modified.

11) The Department shall enter administrative support orders, or request the court to enter support orders, that include provisions for retroactive support when appropriate.

A) In cases handled under subsection (d) of this Section, the Department shall order the period of retroactive support to begin with the later of two years prior to the date of entry of the administrative support order or the date of the married parties separation (or the date of birth of the child for whom support is ordered, if the child was born out of wedlock).

B) In de novo hearings provided for in subsection (d)(5)(G) of this Section and 89 Ill. Adm. Code 104.102, the Department's hearing officer shall order the period of retroactive support to begin with the later of two years prior to the date of entry of the administrative support order or the date of the married parties separation (or the date of birth of the child for whom support is ordered, if the child was born out of wedlock), unless, in cases where the child was born out of wedlock, the hearing officer, after having examined the factors set forth in Section 14(b) of the Illinois Parentage Act of 1984 [750 ILCS 45/14] and Section 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505] decides that another date is more appropriate.

C) In cases referred for judicial action under subsection (e) of this Section, the Department's legal representative shall ask the court to determine the date retroactive support is to commence in accord with Article X of the Illinois Public Aid Code [305 ILCS 5/Art. X], Sections 510 and 505 of the

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Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/510 and 5/505], and Section 14(b) of the Illinois Parentage Act of 1984 [750 ILCS 45/14].

d) Administrative Process

1) Use of Administrative Process

A) Unless otherwise directed by the Department, the FSS shall establish support obligations of responsible relatives through the administrative process set forth in this subsection (d), in Title IV-D cases, wherein the court has not acquired jurisdiction previously, in matters involving:

- i) presumed paternity as set forth in Section 5 of the Illinois Parentage Act of 1984 [750 ILCS 45/5] and support is sought from one or both parents;
 - ii) alleged paternity and support is sought from the mother;
 - iii) an administrative paternity order entered under Section 160.61 and support is sought from the man determined to be the child's father, or from the mother, or both;
 - iv) an establishment of parentage in accordance with Section 6 of the Illinois Parentage Act of 1984 [750 ILCS 45/6]; and
 - v) an establishment of parentage under the laws of another state, and support is sought from the child's father, or from the mother, or both.
- B) In addition to those items specified in subsection (b)(2) of this Section, the notice of support obligation shall inform the responsible relative of the following:
- i) that the responsible relative may be required to pay retroactive support as well as current support; and
 - ii) that in its initial determination of child support under subsection (c), the Department will only consider factors listed in subsections (c)(1)(A)(i) through (c)(1)(A)(x) of this Section; and
 - iii) that the Department will enter an administrative support order based only on those factors listed in subsections (c)(1)(A)(i) through (c)(1)(A)(x) of this Section; and
 - iv) that in order for the Department to consider other factors listed in subsection (c)(2)(C) of this Section, Section 14(b) of the Illinois Parentage Act of 1984 [750 ILCS 45/14], and Section 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505], either the responsible relative or the client must request a de novo hearing within 30 days after mailing or delivery of the administrative support order; and
 - v) that both the client and the responsible relative have

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a right to request a de novo hearing within 30 days after the mailing or delivery of an administrative support order at which time a Department hearing officer may consider other factors listed in subsection (c)(2)(C) of this Section, Section 14(b) of the Illinois Parentage Act of 1984 [750 ILCS 45/14], and Section 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505]; and

- vi) that unless the client and/or the responsible relative requests a de novo hearing within 30 days after the order's mailing or delivery, the administrative support order will become a final enforceable order of the Department; and
- vii) that upon failure of the responsible relative to appear for the interview or to provide necessary information to determine net income, an administrative support order may be entered by default or the Department may seek court determination of financial ability based upon the guidelines.

- 2) The FSS shall determine the ability of each responsible relative to provide support in accordance with subsection (c) of this Section when such relative appears in response to the notice of support obligation and provides necessary information to determine net income. An administrative support order shall be entered which shall incorporate the resulting support amount therein. The FSS shall also determine (and incorporate in the administrative support order) the amount of retroactive support the responsible relative shall be required to pay by applying the relative's current net income (unless the relative provides necessary information to determine net income for the prior period) to the support guidelines in accordance with subsection (c) of this Section.
- 3) Failure to Appear
 - A) In instances in which the responsible relative fails to appear in response to the notice of support obligation or fails to provide necessary information to determine net income, the FSS shall enter an administrative support order by default, except as provided in subsection (d)(3)(D) of this Section. The terms of the order shall be based upon the needs of the child for whom support is sought, as defined by subsection (a)(5) of this Section. No default order shall be entered when a responsible relative fails to appear at the interview unless the relative shall have been served as provided by law with a notice of support obligation.
 - B) The FSS may issue a subpoena to a responsible relative who fails to appear for interview, or who appears and furnishes income information, when the FSS has information from the

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Title IV-D client, the relative's employer or any other reliable source indicating that:

i) financial ability, as determined from the guidelines contained in subsection (c) of this Section, exceeds the amount indicated in case of default, as indicated in subsection (d)(3)(A) of this Section; or

ii) income exceeds that reported by the relative.

C) The FSS will not issue a subpoena under subsection (d)(3)(B) of this Section where the information from the Title IV-D client, the responsible relative's employer or other source concerning the relative's financial ability is verified through documentation such as payroll records, paycheck stubs or income tax returns.

D) In instances in which the relative fails or refuses to accept or fully respond to a Department subpoena issued to him pursuant to subsection (d)(3)(B) of this Section, the FSS may enter a temporary administrative support order by default, in accordance with subsection (d)(3)(A) of this Section, and may then, after investigation and determination of the responsible relative's financial ability to support, utilizing existing State and federal sources (for example, Illinois Department of Employment Security), client statements, employer statements, or the use of the Department's subpoena powers, enter a support order in accord with subsection (c)(1) of this Section.

4) The Department shall register, enforce or modify an order entered by a court or administrative body of another state, and make determinations of controlling order where appropriate, in accordance with the provisions of the Uniform Interstate Family Support Act [750 ILCS 22].

5) An administrative support order shall include the following:

A) the Title IV-D case name and identification number;

B) the names and birthdates of the persons for whom support is ordered;

C) the beginning date, amount and frequency of support;

D) the total retroactive support obligation and the beginning date, amount (which shall not be less than 20 percent of the current support amount) and frequency of payments to be made until the retroactive support obligation is paid in full;

E) the amount of any arrearage that has accrued under a prior support order and the beginning date, amount (which shall not be less than 20 percent of the support order) and frequency of payments to be made until the arrearage is paid in full;

F) a provision requiring that support payments be made to the State Disbursement Unit the manner in which support payments are to be made;

G) a statement informing the client and the responsible

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relative that he has 30 days from the date of mailing of the administrative support order in which to petition the Department for a release from or modification of the order and receive a hearing in accordance with 89 Ill. Adm. Code 104.102 and subsection (c)(2) of this Section, except that for orders entered as a result of a decision after a de novo hearing, the statement shall inform the client and the responsible relative that the order is a final administrative decision of the Department and that review is available only in accordance with provisions of the Administrative Review Law [735 ILCS 5/Art. III]; and

H) except where the order was entered as a result of a decision after a de novo hearing, a statement that the order was based upon the factors listed in subsection (c)(1)(A) of this Section and that in order to have the Department consider other factors listed in subsection (c)(2)(C) of this Section. Section 14(b) of the Illinois Parentage Act of 1984 [750 ILCS 45/14] and Section 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505], either the responsible relative or the client must request a de novo hearing within 30 days after mailing or delivery of the administrative support order.

6) Every administrative support order entered on or after July 1, 1997, shall include income withholding provisions based upon and containing the same information as prescribed in Section 160.75. The Department shall also prepare and serve income withholding notices after entry of an administrative support order and effect income withholding in the same manner as prescribed in Section 160.75.

7) The Department shall provide to each client and each responsible relative a copy of each administrative support order entered, no later than 14 days after entry of such order, by:

A) delivery at the conclusion of an interview where financial ability to support was determined. An acknowledgment of receipt signed by the client or relative or an affidavit of delivery signed by the Department's representative shall be sufficient for purposes of notice to that person.

B) regular mail to the party not receiving personal delivery where the relative fails or refuses to accept delivery, where either party does not attend the interview, or the orders are entered by default.

C) service in the case of registration of the support orders of another state. A copy of such state's orders shall be served with those of the Department.

8) In any case where the administrative support process has been initiated for the custodial parent and the non-marital child, and the custodial parent and the non-marital child move outside the original county, the administrative support case shall remain in

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the original county unless a transfer to the other county in which the custodial parent and the non-marital child reside is requested by either party or the Department and the hearing officer assigned to the original county finds that a change of venue would be equitable and not unduly hamper the administrative support process.

e) Judicial Process

1) The Department shall refer Title IV-D cases for court action to establish support obligations of responsible relatives, pursuant to the support statutes (see subsection (a)(3) of this Section) in matters requiring the determination of parentage (except when paternity is to be determined administratively under Section 160.61), in those wherein the court has acquired jurisdiction previously and in instances described in subsection (d)(3)(D) of this Section, and as otherwise determined by the Department.

2) The Department shall prepare the transmit pleadings and obtain or affix appropriate signature thereto which pleadings shall include, but not be limited to, petitions to:

- A) intervene;
- B) modify;
- C) change payment path;
- D) establish an order for support;
- E) establish retroactive support;
- F) establish past-due support;
- G) establish parentage;
- H) obtain a rule to show cause;
- I) enforce judicial and administrative support orders; and
- J) combinations of the above.

3) Department legal representatives shall request that judicial orders for support require payments to be made to the State Disbursement Unit in accordance with Section 10-10.4 of the Illinois Public Aid Code [305 ILCS 5/10-10.4], Section 507.1 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/507.1], Section 21.1 of the Illinois Parentage Act of 1984 [750 ILCS 45/21.1] and Section 25 of the Non-Support Punishment Act [750 ILCS 16/25].

(Source: Amended by emergency rulemaking at 23 Ill. Reg. **12737**, effective October 1, 1999, for a maximum of 150 days)

Section 160.75 Withholding of Income to Secure Payment of Support**EMERGENCY**

a) Definitions

The definitions contained in Section 15 10-16-2(A) of the Income Withholding for Support Act [750 ILCS 28/15] ~~initiate-Public-Aid-Code~~ [305-1605-5/10-16-2(A)] are incorporated herein by reference.

b) Entry of Order for Support Containing Income Withholding Provisions;

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Income Withholding Notice

1) The Department, through its legal representative, shall request that when entering an order for support the court include in the order the following income withholding provisions, as required by law:

A) that an income withholding notice be prepared by the Department and served immediately upon any payor of the obligor, unless a written agreement is reached between and signed by both parties providing for an alternative arrangement, approved and entered into the record by the court, which ensures payment of support. In that case, the Department, through its legal representative, shall request that the order for support provide that an income withholding notice is to be prepared and served only if the obligor becomes delinquent in paying the order for support; and

B) a dollar amount to be paid until payment in full of any delinquency that accrues after entry of the order for support; the dollar amount not to be less than 20 percent of the total of the current support amount and the amount to be paid periodically for payment of any arrearage stated in the order for support; and

C) the obligor's Social Security Number disclosed to the court as required by law; and

D) if the obligor is not a United States citizen, the obligor's alien registration number, passport number, and home country's social security or national health number disclosed to the court as required by law.

2) The income withholding notice prepared by the Department shall:

A) be in the standard format prescribed by the federal Department of Health and Human Services; and

B) state the date of entry of the order for support upon which the income withholding notice is based; and

C) direct any payor to withhold the dollar amount required for current support under the order for support; and

D) direct any payor to withhold the dollar amount required to be paid periodically under the order for support for payment of the amount of any arrearage stated in the order for support; and

E) direct any payor or labor union or trade union to enroll a child as a beneficiary of a health insurance plan and withhold or cause to be withheld, if applicable, any required premium; and

F) state the amount of the payor income withholding fee as provided by law; and

G) state that the amount actually withheld from the obligor's income for support and other purposes, including the payor's withholding fee, may not be in excess of the maximum amount

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permitted under the federal Consumer Credit Protection Act; and

H) state the duties of the payor and the fines and penalties provided by law for failure to withhold and pay over income and for discharging, disciplining, refusing to hire, or otherwise penalizing the obligor because of the duty to withhold and pay over income; and

I) state the rights, remedies, and duties of the obligor, as provided by law; and

J) include the obligor's Social Security Numbers of the obligor, the obligee, and the child or children included in the order for support ~~Number~~; and

K) include the date withholding for current support terminates, which shall be the date of termination of the current support obligation set forth in the order for support; and

L) contain the signature of the obligee or the printed name and telephone number of the authorized representative of the public office, except that the failure to contain the signature of the obligee or the printed name and telephone number of the authorized representative of the public office shall not affect the validity of the income withholding notice; and ⁷

M) direct any payor to pay over amounts withheld for payment of support to the State Disbursement Unit.

3) Notwithstanding the exception to immediate income withholding referred to in subsection (b)(1)(A) above, if the court finds at the time of any hearing that an arrearage has accrued, the Department, through its legal representative, shall request that the court order immediate service of an income withholding notice upon the payor, as required by law.

c) Service of Income Withholding Notice

1) If the order for support requires immediate service of an income withholding notice, the Department shall serve the notice on the payor within two business 15 days after the date the order is received ~~entered~~ if the payor's address is known on that date, or, if the address is unknown on that date, within two business 15 days after locating the payor's address. ~~If However, notwithstanding the foregoing, if the Department receives the payor's address from the Illinois Directory of New Hires, as established under Section 1801.1 of the Unemployment Insurance Act [820 ILCS 405/1801.1], the Department shall serve an income withholding notice on the payor within two business days after the date information regarding the obligor and payor is entered into the Illinois Directory of New Hires.~~

2) The Department may serve the income withholding notice on the payor, its superintendent, manager, or other agent by ordinary mail or certified mail, return receipt requested, by facsimile transmission or other electronic means, by personal delivery, or

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by any method provided by law for service of a summons. At the time of service on the payor and as notice that withholding has commenced, the Department shall serve a copy of the income withholding notice on the obligor by ordinary mail addressed to his or her last known address. A copy of the income withholding notice together with proofs of service on the payor and the obligor shall be filed by the Department with the Clerk of the Circuit Court.

3) Notwithstanding the fact that the order for support, under the exception to immediate withholding referred to in subsection (b)(1)(A) above, provides that an income withholding notice is to be prepared and served only if the obligor becomes delinquent in paying the order for support, the Department shall serve an income withholding notice on the payor prior to accrual of a delinquency if the obligor executes a written waiver of that condition and requests immediate service on the payor.

4) At any time after the initial service of an income withholding notice, the Department may serve any other payor of the obligor with the same income withholding notice without further notice to the obligor. A copy of the income withholding notice together with a proof of service on the other payor shall be filed with the Clerk of the Circuit Court.

d) Income Withholding After Accrual of Delinquency

1) The Department shall prepare and serve an income withholding notice within two business 15 days after the date the obligor accrues a delinquency if the payor's address is known on that date or, if the address is unknown on that date, within two business 15 days after locating the payor's address. ~~If However, notwithstanding the foregoing, if the payor's address is unknown on the date the obligor accrues a delinquency, and the Department receives the payor's address from the Illinois Directory of New Hires, the Department shall serve an income withholding notice on the payor within two business days after the date information regarding the obligor and payor is entered into the Illinois Directory of New Hires.~~

2) An income withholding notice prepared by the Department under subsection (d)(1) above shall:

A) contain the information required under subsection (b)(2) above; and

B) contain a total amount of delinquency as of the date of the notice; and

C) direct the payor to withhold the dollar amount required to be withheld periodically under the order for support for payment of the delinquency; and

D) be served on the payor and the obligor in the manner provided in subsection (c)(2) above.

3) The obligor may contest withholding commenced under this subsection (d) by filing a petition to contest withholding with

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the Clerk of the Circuit Court within 20 days after service of a copy of the income withholding notice on the obligor. However, as required by law, the grounds for the petition to contest withholding shall be limited to:

- A) a dispute concerning the existence or amount of the delinquency; or
 - B) the identity of the obligor.
- 4) The accrual of a delinquency as a condition for service of an income withholding notice, under the exception to immediate withholding referred to in subsection (b)(1)(A) above, shall apply only to the initial service of an income withholding notice on a payor of the obligor.

e) Initiated Withholding

- 1) Notwithstanding any other provision of this Section, if the court has not required that income withholding take effect immediately, the Department, pursuant to this subsection (e), may initiate withholding regardless of whether a delinquency has accrued, by preparing and serving an income withholding notice on the payor that contains the information required under subsection (b)(2) above and states that the parties' written agreement providing an alternative arrangement to immediate withholding under subsection (b)(1)(A) above no longer ensures payment of support, and the reason or reasons why it does not.

- 2) The income withholding notice and the obligor's copy of the income withholding notice shall be served as provided in subsection (c)(2) above.

- 3) The obligor may contest withholding commenced under this subsection (e) by filing a petition to contest withholding with the Clerk of the Circuit Court within 20 days after service of a copy of the income withholding notice on the obligor. However, as required by law, the grounds for the petition to contest withholding shall be limited to a dispute concerning the conditions in subsections (e)(3)(A) and (B) below (it shall not be grounds for filing a petition that the obligor has made all payments due by the date of the petition):

- A) whether the parties' written agreement providing an alternative arrangement to immediate withholding under subsection (b)(1)(A) above continues to ensure payment of support; or

- B) the identity of the obligor.

f) Petition to Modify, Suspend or Terminate an Order for Withholding

- 1) At any time the Department, through its legal representative, may petition the court to:

- A) modify, suspend or terminate the income withholding notice because of a modification, suspension, or termination of the underlying order for support;

- B) modify the amount of income to be withheld to reflect payment in full or in part of the delinquency or arrearage

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- C) suspend the income withholding notice because of inability to deliver income withheld to the obligee due to the obligee's failure to provide a mailing address or other means of delivery.

- 2) The Department shall serve on the payor, in the manner provided for service of income withholding notices in subsection (c)(2) above, a copy of any order entered pursuant to this subsection (f) that affects the duties of the payor.

- 3) The Department may serve a notice on the payor to:
 - A) cease withholding of income for payment of current support for a child when the support obligation for that child has automatically ceased under the order for support through emancipation or otherwise; or
 - B) cease withholding of income for payment of delinquency or arrearage when the delinquency or arrearage has been paid in full.

- 4) The notice provided for under subsection (f)(3) above shall be served on the payor in the manner provided for service of income withholding notices in subsection (c)(2) above, and a copy shall be provided to the obligor and the obligee.

g) Additional Duties

- 1) ~~When the Department is no longer authorized to receive payments for the obligee, it shall, within seven days, notify the payor where appropriate, the Clerk of the Circuit Court, to redirect income withholding payments to the obligee.~~

- 2) The Department shall provide notice to the payor and Clerk of the Circuit Court of any other support payment made, including but not limited to:
 - 1) ~~an offset under federal or State law; or~~
 - 2) ~~partial payment of the delinquency or arrearage or both.~~

- h) Alternative Procedures for Service of an Income Withholding Notice
 - 1) The procedures of this subsection (h) shall be used by the Department in any matter to serve an income withholding notice on a payor if:
 - A) For any reason the most recent order for support entered does not contain the income withholding provisions stated in subsection (b) above, irrespective of whether a separate order for withholding was entered prior to July 1, 1997; and
 - B) The obligor has accrued a delinquency after entry of the most recent order for support.

- 2) The Department shall prepare and serve the income withholding notice in accordance with the provisions of subsection (d) above, except that the notice shall contain a periodic amount for payment of the delinquency equal to 20 percent of the total of the current support amount and the amount to be paid periodically for payment of any arrearage stated in the most recent order for support.

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3) If the obligor requests in writing that income withholding become effective prior to the obligor accruing a delinquency under the most recent order for support, the Department shall prepare and serve an income withholding notice on the payor as provided in subsections (b) and (c) above. In addition to filing proofs of service of the income withholding notice on the payor and the obligor, the Department shall file a copy of the obligor's written request for income withholding with the Clerk of the Circuit Court.

i) Notice to Payor

Whenever the Department serves an income withholding notice on a payor, notice of the following shall be included in or with the income withholding notice:

- 1) that the payor must begin deducting no later than the next payment of income which is payable or creditable to the obligor that occurs 14 days following the date the income withholding notice was mailed, sent by facsimile or other electronic means, or placed for personal delivery to or service on the payor;
- 2) that the payor must pay the amount withheld to the State Disbursement Unit ~~obligor-or-publie-office-as-the-case-may-be-~~ within seven business days after the date the amount would (but for the duty to withhold income) have been paid or credited to the obligor;
- 3) that if the payor knowingly fails to pay any amounts withheld to the State Disbursement Unit within seven business days after the date the amount would have been paid or credited to the obligor, the payor is subject to a penalty of \$100 for each day that the withheld amount is not paid to the State Disbursement Unit ~~obligor-or-publie-office~~ after the period of seven business days has expired;
- 4) that the payor may combine all amounts withheld for the benefit of an obligee or public office into a single payment and transmit the payment with a listing of obligors from whom withholding has been effected;
- 5) that for each deduction the payor must provide the State Disbursement Unit ~~obligor-or-publie-office~~, at the time of transmittal, with the date the amount would (but for the duty to withhold income) have been paid or credited to the obligor;
- 6) that upon receipt of an income withholding notice requiring that a minor child be named as a beneficiary of a health insurance plan available through an employer, labor union or trade union, that the employer or labor union or trade union must:
 - A) immediately enroll the minor child as a beneficiary in the health insurance plan designated by the income withholding notice;
 - B) withhold or cause to be withheld, if applicable, any required premium and pay over any amounts so withheld to the insurance carrier in a timely manner;

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- C) mail to the obligee, within 15 days after enrollment or upon request, notice of the date of coverage, information on the dependent coverage plan, and all forms necessary to obtain reimbursement for covered health expenses, such as would be made available to a new employee;
- D) when an order for dependent coverage is in effect and the insurance coverage is terminated or changed for any reason, notify the obligee within ten days after the termination or change date along with notice of conversion privileges;
- 7) that for withholding of income, the payor is entitled to a fee not to exceed \$5 per month to be taken from the income to be paid to the obligor;
- 8) that the amount actually withheld for support, the child's health insurance premium and payor withholding fee shall not exceed the maximum amount permitted under the federal Consumer Credit Protection Act;
- 9) that whenever the obligor is no longer receiving income from the payor, the payor must return a copy of the income withholding notice to the Department and provide the obligor's last known address and the name and address of the obligor's new payor, if known;
- 10) that withholding of income under the income withholding notice must be made without regard to any prior or subsequent garnishments, attachments, wage assignments, or any other claims of creditors;
- 11) that the income withholding notice is binding upon the payor until service of an order of the court or a notice from the Department or Clerk of the Circuit Court;
- 12) that the payor is subject to a fine of up to \$200 for discharging, disciplining or otherwise penalizing an obligor because of the duty to withhold income;
- 13) that if the payor willfully fails to withhold or pay over income pursuant to a properly served income withholding notice that the payor is liable for the total amount that the payor willfully failed to withhold or pay over;
- 14) that if the payor has been served with more than one income withholding notice pertaining to the same obligor, the payor shall allocate income available on a proportionate share basis, giving priority to current support payments, and that if there is any income available for withholding after withholding for all current support obligations, the payor shall allocate the income to past due support payments ordered in non-TANF matters and then to past due support payments order in TANF matters, both on a proportionate share basis; and
- 15) that a payor who complies with an income withholding notice that is regular on its face is not subject to civil liability with respect to any individual, any agency, or any creditor of the obligor for conduct in compliance with the notice.

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j) Notice to Obligor

When the Department serves a copy of the income withholding notice on the obligor as required under this Section, notice of the following shall be included in or with the obligor's copy of the income withholding notice:

- 1) that income withholding has commenced;
- 2) the information provided to the payor under subsection (i) above;
- 3) the procedures and the permissible grounds for contesting withholding commenced under subsection (d), (e) or (h) above, as applicable;
- 4) that at any time the obligor may petition the court to:
 - A) modify, suspend or terminate the income withholding notice because of a modification, suspension or termination of the underlying order for support; or
 - B) modify the amount of income to be withheld to reflect payment in full or in part of the delinquency or arrearage by income withholding or otherwise; or
 - C) suspend the income withholding notice because of inability to deliver income withheld to the obligee due to the obligee's failure to provide a mailing address or other means of delivery; or
 - D) correct a term contained in an income withholding notice to conform to that stated in the underlying order for support for:
 - i) the amount of current support;
 - ii) the amount of the arrearage;
 - iii) the periodic amount for payment of the arrearage; or
 - iv) the periodic amount for payment of the delinquency;

- 5) that the obligor is required by law to notify the obligee, the Department, and the Clerk of the Circuit Court of any new address or payor within seven days of the change; and
- 6) that where a payor willfully discharges, disciplines, refuses to hire or otherwise penalizes an obligor because of the duty to withhold income, the obligor may file a complaint with the court against the payor, and that the court may order employment or reinstatement of or restitution to the obligor, or may impose a fine upon the payor not to exceed \$200.

k) Penalties

In cases where a payor willfully fails to withhold or pay over income, pursuant to a properly served income withholding notice, or otherwise fails to comply with any income withholding duties imposed by law, the Department, through its legal representatives, may request that the court:

- 1) enter judgment and direct the enforcement thereof for the total amount that the payor willfully failed to withhold or pay over;
 - 2) impose a penalty or fine upon the payor or invoke any other remedy allowed by law.
- 1) Interstate Income Withholding

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Within the timeframes specified in subsections **subsection (c)(1)** and **(d)(1)** of this Section **above**, and pursuant to the provisions of the Uniform Interstate Family Support Act [750 ILCS 22], the Department shall engage income withholding in cases in which the obligor is receiving income from a payor located in another state.

- m) Refund of Improperly Withheld Amounts
The Department shall promptly refund to the obligor amounts found to have been improperly withheld from the obligor's income.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 12737, effective October 1, 1999, for a maximum of 150 days)

SUBPART F: DISTRIBUTION OF SUPPORT COLLECTIONS

Section 160.95 State Disbursement UnitEMERGENCY

- a) The Department shall establish a State Disbursement Unit in accordance with the provisions of Section 10-26 of the Illinois Public Aid Code [305 ILCS 5/10-26] and Section 454B, Title IV-D of the Social Security Act (42 USC 654b). The purpose of the State Disbursement Unit shall be to collect and disburse support payments made under court and administrative support orders:
 - 1) in IV-D cases; and
 - 2) in non-IV-D cases in which an order for support was entered after January 1, 1994, and in which support payments are made under the provisions of the Income Withholding for Support Act [750 ILCS 28].

- b) The Department shall provide notice to the obligor and, where applicable, to the obligor's payor of income to make support payments to the State Disbursement Unit if:
 - 1) the order for support in a IV-D case was entered before October 1, 1999; or
 - 2) the order for support in a non-IV-D case was entered after January 1, 1994, the order does not provide for payment to the State Disbursement Unit, and support payments are made through income withholding.

- c) The notice (see subsection (b) above) may be sent by ordinary mail, certified mail, return receipt requested, facsimile transmission, or other electronic process, or may be served upon the obligor or payor using any method provided by law for service of a summons. The Department shall provide a copy of the notice to the obligee and, where the order for support was entered by the court, to the clerk of the court.

- d) All payments received by the State Disbursement Unit shall be disbursed in accordance with the provisions on distribution of support collections in this Subpart F.

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(Source: Added by emergency rulemaking at 23 Ill. Reg. 12737, effective October 1, 1999, for a maximum of 150 days)

Section 160.100 Distribution of Child Support for TANF Recipients**EMERGENCY**

- a) For the purposes of distribution under this Section, amounts collected shall be treated first as payment on the required support obligation for the month in which the child support was collected and if any amounts are collected which are in excess of such amount, these excess amounts shall be treated as amounts which represent payment on the required support obligation for previous months. "Date of collection" shall be as defined in Section 160.5.
- b) Child support payments which are received ~~by--the--Department~~ for a month in which a client is a TANF recipient shall be distributed as follows:

- 1) Pass Through: Of any amount that is collected in a month which represents payment on the required support obligation for that month, the first \$50 of such amount shall be paid to the family. One payment will be forwarded to the family within two business ~~15-calendar~~ days after the date of initial receipt in the State (see Section 160.5) of the first \$50 of support collected in a month, or, if less than \$50 is collected in a month, within two business ~~15--calendar~~ days ~~after~~ of the end of the month in which the support is collected. This payment will be disregarded when determining eligibility for TANF and the amount of the TANF grant. However, when there is a served income withholding notice and the payor of income transmits multiple months of support in a lump sum, the family shall receive the first \$50 of each month of support withheld. If the amount collected includes payment on the required support obligation for a previous month or months, the family shall only receive the first \$50 of the amount which represents the required support obligation for the month in which the support was collected. If amounts are collected for a single filing unit (see 89 Ill. Adm. Code 112.300(b)) which represent support payments from two or more responsible relatives, only the first \$50 of the amount collected which represents the total required support obligation for the month in which the support was collected shall be paid to the family under this subsection. No payment shall be made to a family under this subsection for a month in which there is no child support collection.
- 2) Reimbursement of Current TANF: If the amount of child support collected in a month on behalf of a TANF recipient exceeds the amount to be paid to the family pursuant to subsection (b)(1), the excess shall be retained by the Department to reimburse the Department for the assistance payment for the month in which the support was collected or the next month.
- 3) Current Excess: If the amount of child support collected in a

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month on behalf of a TANF recipient exceeds the amount to be distributed pursuant to subsections (b)(1) and (b)(2) above, the family shall be paid such excess up to the difference between the TANF grant for the month in which the amount of the collection was used to redetermine eligibility for TANF and the amount ordered for that month. If such court ordered amount is less than the TANF grant, no amount shall be paid to the family under this subsection. In those cases where there is no court order, the family shall not be paid any amount under this subsection.

- 4) Reimbursement of Past AFDC or TANF: If the amount of child support collected in a month on behalf of a TANF recipient is in excess of the amount required to be distributed pursuant to subsections (b)(1) through (b)(3) above, any such excess shall be retained by the Department as reimbursement for past assistance payments made to the family for which the Department has not been reimbursed. The Department will apply the amount retained to any sequence of months for which the Department has not yet been reimbursed. If past assistance payments made to the family are greater than the unpaid support obligation, the maximum amount the Department can retain as reimbursement for such assistance payments is the amount of such obligation, unless amounts are collected which represent the required support obligation for periods prior to the first month in which the family received assistance, in which case such amounts can be retained by the Department to reimburse the difference between such support obligation and such assistance payments.
- 5) Past Excess: If the amount of child support collected in a month on behalf of a TANF recipient is in excess of the amount required to be distributed pursuant to subsections (b)(1) through (b)(4) above, such excess shall be paid to the family.
- c) If an amount collected as support represents payment on the required support obligation for future months, the amount collected shall be applied to such future months. However, no such amounts shall be applied to future months unless amounts have been collected which fully satisfy the support obligation assigned for the current month and all past months.
- d) Identification of Child Support Payment: Any support payment issued to the family under subsection (b)(3) or (b)(5) above shall be identified on its face as being for child support.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 12737, effective October 1, 1999, for a maximum of 150 days)

Section 160.110 Distribution of Child Support for Former AFDC or TANF Recipients Who Continue to Receive Child Support Enforcement Services
EMERGENCY

Child support payments which are received ~~by--the--Department~~ on behalf of a

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former AFDC or TANF recipient who continues to receive child support enforcement services, shall be distributed in accordance with the provisions of subsections (a) through (g) of this Section.

a) Current Support: Upon cancellation of TANF or AFDC, a client's assignment of support ceases (see Section 160.20), except with respect to the amount of any unpaid support obligation that has accrued under such assignment. For any month in which a client is not a TANF recipient, regardless of whether such client continues to receive child support enforcement services, the client is entitled to the amount of current support paid for that month, up to the amount of the monthly support obligation for that month. Current support payments to former AFDC or TANF recipients who do receive child support enforcement services from the Department shall be issued within two business days after initial receipt in the State.

b) Unpaid Current Support Accrued Following Cancellation: If the amount of child support collected in a month on behalf of a former AFDC or TANF recipient who receives child support enforcement services exceeds the amount of current support distributed pursuant to subsection (a) above, the client shall be paid any such amount, up to the unpaid current support obligation which has accrued for any month following cancellation of the client's AFDC or TANF case in which the client received child support enforcement services. Such payments to former AFDC or TANF recipients shall be issued within two business days after initial receipt in the State.

c) Unpaid Current Support Accrued Prior to the Family Receiving Assistance (only in cases where the assignment of support rights under Section 160.20 of this Part was entered into on or after October 1, 1998): If the amount of child support collected in a month on behalf of a former AFDC or TANF recipient who receives child support enforcement services exceeds the amount of support distributed pursuant to subsections (a) and (b) of this Section, the client shall be paid any such amount, up to the unpaid current support obligation that has accrued for any month prior to the family having first received assistance, but only if such first month commenced on or after October 1, 1998, and only if such amount was not collected by use of federal income tax refund offset. Such payments to former TANF recipients shall be issued within two business days after initial receipt in the State.

d) Unreimbursed AFDC or TANF: If the amount of child support collected in a month on behalf of a former AFDC or TANF recipient exceeds the amount to be distributed pursuant to subsections (a) and (b) of this Section and, where applicable, subsection (c) of this Section, the excess shall be retained by the Department to reimburse it for past unreimbursed AFDC or TANF. If the unpaid support obligation is greater than the past unreimbursed AFDC or TANF, then the maximum reimbursement amount is the amount of unreimbursed AFDC or TANF the Department has provided. If the past unreimbursed AFDC or TANF is greater than the unpaid support obligation, then the maximum

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reimbursement amount is the amount of the unpaid support obligation, unless amounts are collected which represent the required support obligation for periods prior to the first month in which the former AFDC or TANF recipient received AFDC or TANF, and that first month of receipt of AFDC or TANF occurred prior to October 1, 1998, or the amounts are collected by use of offset of federal income tax refunds, in which case such amounts will be retained by the Department to reimburse the difference between such support obligation and such past unreimbursed AFDC or TANF.

e) Past Excess: If the amount of child support collected in a month on behalf of a former AFDC or TANF recipient exceeds the amount to be distributed pursuant to subsections (a), (b), (c), and (d) of this Section, the excess, up to the amount of the unpaid support obligation, including the unpaid obligation for months prior to the first month in which the former AFDC or TANF recipient received AFDC or TANF, shall be paid to the client. Such payments to former AFDC or TANF recipients shall be issued within two business days after initial receipt in the State.

f) Amounts In Excess of the Child Support Obligation: If the amount of child support collected in a month on behalf of a former AFDC or TANF recipient who continues to receive child support enforcement services exceeds the amount to be distributed pursuant to subsections (a), (b), (c), (d), and (e) of this Section, the excess shall be refunded to the responsible relative.

g) Identification of Child Support Payment: Any support payment issued by the Department to a former AFDC or TANF recipient under this Section shall be identified on its face as being a child support payment.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 12737, effective October 1, 1999, for a maximum of 150 days)

Section 160.120 Distribution of Child Support Collected While the Client Was an AFDC or TANF Recipient, But Not Yet Distributed at the Time the AFDC or TANF Case Is Cancelled

EMERGENCY

Child support payments which are received by the Department in a month in which a client is a current AFDC or TANF recipient, but which have not been distributed when the client's AFDC or TANF case is cancelled shall be distributed in accordance with Section 160.100. Any amounts owed to former AFDC or TANF recipients pursuant to such distribution shall be disbursed by the State Disbursement Unit Department in accordance with the following timeframes:

a) Child support to which a former AFDC or TANF recipient is entitled pursuant to Section 160.100(b)(1) ("Pass Through") shall be issued in accordance with that Section.

b) Child support to which a former AFDC or TANF recipient is entitled

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pursuant to Section 160.100(b)(3) ("current excess") shall be issued within two business 15--calendar days after of the date of initial receipt in the State of a collection for the first month of ineligibility.

- c) Child support to which a former AFDC or TANF recipient is entitled pursuant to Section 160.100(b)(5) ("past excess") shall be issued within two business 15--calendar days after of the date of the initial receipt in the State of a collection for the first month of ineligibility.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 12737, effective October 1, 1999, for a maximum of 150 days)

Section 160.130 Distribution of Intercepted Federal Income Tax Refunds**EMERGENCY**

The Department shall as promptly as possible apply collections it receives as a result of intercept of federal income tax refunds only against the past-due support amount specified in the advance notice provided the responsible relative (see Section 160.70(c)(3)).

- a) Federal income tax refunds shall be applied first to satisfy any IV-D AFDC, IV-D TANF or IV-E foster care assigned past-due support and then to satisfy any IV-D non-TANF past-due support.
- b) The Department shall send payments made to a IV-D client or DCFS as a result of the intercept of federal or State income tax refunds and other State payments within 30 calendar days after initial receipt by the Department, except as described in subsections (c) and (d) of this Section.

- c) When a responsible relative initiates the review process under Section 160.70(c)(3)(C) between the date of the tax refund intercept and the date the Department disburses the intercepted funds or the 30th calendar day after the Department's receipt of such funds, whichever first occurs, the State Disbursement Unit Department shall send any funds determined to be due the IV-D client or DCFS within 15 calendar days after the review process concludes.

- d) If the Department is notified by the federal Office of Child Support Enforcement that an intercept to satisfy IV-D non-TANF past-due support is being made from a refund based on a joint return, the Department may delay distribution of the federal tax refund intercept until it is notified that the unobligated spouse's proper share of the refund has been paid or for a period not to exceed 6 months from notification of the intercept, whichever first occurs.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 12737, effective October 1, 1999, for a maximum of 150 days)

Section 160.132 Distribution of Child Support for Non-TANF Clients**EMERGENCY**

Child support payments which are received by-the-Department on behalf of a client who has never been an AFDC or TANF recipient shall be distributed in accordance with the timeframes and provisions of subsections (a) through (c) below.

- a) Current support: The Non-Assistance client is entitled to receive an amount of money equal to the monthly support obligation amount that is collected for current support. The entire amount of the current support collected shall be sent to the client within two business 15--calendar days after ~~from~~ the date of initial receipt in the State.
- b) Past support: Any amount in excess of the current support obligation is applied to past support owed the non-TANF client and shall be sent to the client within two business 15--calendar days after ~~from~~ the date of initial receipt in the State.
- c) Future support: If an amount collected as support represents payment on the required support obligation for future months, the amount collected shall be applied to future months and shall be sent to the client within two business 15--calendar days after ~~from~~ the date of the initial receipt in the State.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 12737, effective October 1, 1999, for a maximum of 150 days)

Section 160.134 Distribution of Child Support For Interstate Cases**EMERGENCY**

Child support payments which are received by-the-Department on behalf of an initiating state State shall be forwarded to the initiating state State within two business 15--calendar days after ~~from~~ the date of initial receipt in this State.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 12737, effective October 1, 1999, for a maximum of 150 days)

Section 160.136 Distribution of Support Collected in IV-E Foster Care Maintenance Cases**EMERGENCY**

- a) For purposes of distribution under this Section, amounts collected in IV-E foster care maintenance cases shall be treated in accordance with the provision of Section 160.100(a).

- b) The amounts collected as support by--the--Department on behalf of children for whom the State is making IV-E foster care maintenance payments and for whom an assignment is effective shall be distributed as follows:

- 1) Reimbursement of current IV-E foster care maintenance: The amount of child support that is collected in a month which represents payment on the required support obligation for that month shall be forwarded to DCFS and retained by DCFS to

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reimburse itself for IV-E foster care maintenance payments.

2) Current excess: If the amount of child support collected in a month on behalf of a foster care dependent is in excess of the monthly amount of the IV-E foster care maintenance payment but not more than the monthly support obligation, the State Disbursement Unit Department shall pay within 15 business calendar days after the end of the month in which the support was initially received date-of--initial--receipt in the State the excess to DCFS which will use the money in the best interests of the child.

3) Reimbursement of past IV-E foster care maintenance: If the amount of child support collected in a month on behalf of a foster care dependent exceeds the amount required to be distributed under subsections (b)(1) and (2) above, but not the total unreimbursed IV-E foster care maintenance payments or unreimbursed AFPC or TANF provided, the Department and DCFS shall retain any such excess as reimbursement for these payments. If past assistance or IV-E foster care maintenance payments are greater than the total support obligation owed, the maximum amount the Department or DCFS may retain as reimbursement for such payments is the amount of such obligation. If amounts are collected which represent the required support obligation for periods prior to the first month in which the family received AFPC, TANF or IV-E foster care maintenance payments, such amounts may be retained by the Department and DCFS to reimburse the difference between such support obligation and such payments.

4) Past excess: If the amount of child support collected in a month on behalf of a foster care dependent is in excess of the amount required to be distributed pursuant to subsections (b)(1) through (3), such excess shall be paid by the State Disbursement Unit within 15 business calendar days after the end of the month in which the support was initially received date-of--initial--receipt in the State to DCFS and used in the best interests of the child.

5) Future support: If an amount collected as support represents payment on the required support obligation for future months, the amount shall be applied to those future months. However no amounts shall be applied to future months unless amounts have been collected which fully satisfy the support obligation assigned for the current and all past months.

c) When DCFS ceases making IV-E foster care maintenance payments, the assignment of support rights terminates except for the amount of any unpaid support that has accrued under the assignment. The Department shall attempt to collect such unpaid support. Any collection made by the Department under this subsection shall be distributed in accordance with subsection (b)(3) of this Section.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. effective October 1, 1999, for a maximum of 150 days)

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1) Heading of the Part: Hospital Services

2) Code Citation: 89 Ill. Adm. Code 148

3) Section Numbers: Emergency Action:
148.295 Amendment
148.296 Amendment
148.298 Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13], Public Act 91-0020 and Public Act 91-0024

5) Effective Date: October 1, 1999

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable

7) Date filed with the Index Department: October 1, 1999

8) A copy of the emergency amendment, including any materials incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Reason for Emergency: These emergency amendments to the Department's administrative rules concerning hospital services are being filed pursuant to the fiscal year 2000 budget implementation plan and the appropriations allowed under Public Act 91-0020. The amendments address the Critical Hospital Access Payments (CHAP) program and provide a new Direct Hospital Adjustment (DHA) payment that will be effective October 1, 1999. Similar changes are being made regarding Pediatric Inpatient Adjustment Payments to enhance health care access for children with intense or chronic health problems. Immediate implementation of these changes is necessary to direct additional funding to hospitals that are providing a high volume of medical care to Medicaid eligible and uninsured populations, and thereby improve access to essential medical services. Emergency rulemaking is specifically authorized for the implementation of these reimbursement changes for fiscal year 2000 by Section 5-45 of Public Act 91-0024.

10) Complete Description of the Subjects and Issues Involved: These emergency amendments to the Department's administrative rules concerning hospital services address the payment methodology for Critical Hospital Access Payments (CHAP) by sunseting the Direct Hospital Adjustment (DHA) components of the CHAP program and the Supplemental CHAP program (SCHAP). Both the DHA component and SCHAP will be replaced with a new DHA payment that will be effective October 1, 1999. The intent of these changes is to direct additional funding to hospitals that are providing a high volume of medical care, especially high volume general and obstetrical care, to Medicaid eligible and uninsured populations, and thereby improve access

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to essential medical services. These emergency changes will assist in offsetting the costs of hospitals' uncompensated care, insuring that the State's neediest individuals continue to have access to quality health care services.

The emergency amendments provide similar changes to the payment methodology for children's hospitals under Pediatric Inpatient Adjustment Payments by creating a new quarterly payment methodology. The new adjustment payment program will also be effective October 1, 1999. The purpose of these amendments is to insure that children with intense or chronic health problems continue to have ready access to appropriate health care.

These emergency amendments affecting hospital services will result in an additional expenditure of approximately \$294.5 million for fiscal year 2000.

11) Are there any other amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
148.120	Amendment	July 16, 1999 (23 Ill. Reg. 8586)
148.140	Amendment	July 2, 1999 (23 Ill. Reg. 7475)
148.140	Amendment	July 16, 1999 (23 Ill. Reg. 7840)

12) Statement of Statewide Policy Objectives: These emergency amendments neither create nor expand any state mandates affecting units of local government.

13) Information and questions regarding this amendment shall be directed to:

Joanne Jones
Office of the General Counsel - Rules
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, Illinois 62763-0002
(217) 524-0081

The full text of the emergency amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 148
HOSPITAL SERVICES

Section	
148.10	Hospital Services
148.20	Participations and Applicability
148.25	Definitions and Applicability
148.30	General Requirements
148.40	Special Requirements
148.50	Covered Hospital Services
148.60	Services Not Covered as Hospital Services
148.70	Limitation On Hospital Services
148.80	Organ Transplants Services Covered Under Medicaid (Repealed)
148.82	Organ Transplant Services
148.90	Heart Transplants (Repealed)
148.100	Liver Transplants (Repealed)
148.110	Bone Marrow Transplants (Repealed)
148.120	Disproportionate Share Hospital (DSH) Adjustments
148.130	Outlier Adjustments for Exceptionally Costly Stays
148.140	Hospital Outpatient and Clinic Services
148.150	Public Law 103-66 Requirements
148.160	Payment Methodology for County-Owned Hospitals in an Illinois County with a Population of Over Three Million
148.170	Payment Methodology for Hospitals Organized Under the University of Illinois Hospital Act
148.175	Supplemental Disproportionate Share Payment Methodology for Hospitals Organized Under the Town Hospital Act
148.180	Payment for Pre-operative Days, Patient Specific Orders, and Services Which Can Be Performed in an Outpatient Setting
148.190	Copayments
148.200	Alternate Reimbursement Systems
148.210	Filing Cost Reports
148.220	pre September 1, 1991 Admissions
148.230	Admissions Occurring on or after September 1, 1991
148.240	Utilization Review and Furnishing of Inpatient Hospital Services Directly or Under Arrangements
148.250	Determination of Alternate Payment Rates to Certain Exempt Hospitals
148.260	Calculation and Definitions of Inpatient Per Diem Rates
148.270	Determination of Alternate Cost Per Diem Rates for All Hospitals; Payment Rates for Certain Exempt Hospital Units; and Payment Rates for Certain Other Hospitals
148.280	Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements
148.285	Excellence in Academic Medicine Payments

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148.290 Adjustments and Reductions to Total Payments
 148.295 Critical Hospital Adjustment Payment (CHAP)
EMERGENCY
 148.296 Supplemental Critical Hospital Adjustment Payments (SCHAP)
EMERGENCY
 148.297 Pediatric Outpatient Adjustment Payments
 148.298 Pediatric Inpatient Adjustment Payments
EMERGENCY
 148.300 Payment
 148.310 Review Procedure
 148.320 Alternatives
 148.330 Exemptions
 148.340 Subacute Alcoholism and Substance Abuse Treatment Services
 148.350 Definitions
 148.360 Types of Subacute Alcoholism and Substance Abuse Treatment Services
 148.368 Volume Adjustment (Repealed)
 148.370 Payment for Subacute Alcoholism and Substance Abuse Treatment Services
 148.380 Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services
 148.390 Hearings
 148.400 Special Hospital Reporting Requirements

AUTHORITY: Implementing and authorized by Articles III, IV, V, VI, and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective August 9, 1991, for a maximum of 150 days; emergency expired January 6, 1992; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18684, effective December 23, 1991; amended at 16 Ill. Reg. 6255, effective March 27, 1992; emergency amendment at 16 Ill. Reg. 11335, effective June 30, 1992, for a maximum of 150 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. Reg. 11942, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19873, effective December 7, 1992; amended at 17 Ill. Reg. 131, effective December 21, 1992; amended at 17 Ill. Reg. 3296, effective March 1, 1993; amended at 17 Ill. Reg. 6649, effective April 21, 1993; amended

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at 17 Ill. Reg. 14643, effective August 30, 1993; emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3450, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 12853, effective August 2, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 14117, effective September 1, 1994; amended at 18 Ill. Reg. 17648, effective November 29, 1994; amended at 19 Ill. Reg. 1067, effective January 20, 1995; emergency amendment at 19 Ill. Reg. 3510, effective March 1, 1995, for a maximum of 150 days; emergency expired July 29, 1995; emergency amendment at 19 Ill. Reg. 6709, effective May 12, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10060, effective June 29, 1995; emergency amendment at 19 Ill. Reg. 10752, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13009, effective September 5, 1995; amended at 19 Ill. Reg. 16630, effective November 28, 1995; amended at 20 Ill. Reg. 872, effective December 29, 1995; amended at 20 Ill. Reg. 7912, effective May 31, 1996; emergency amendment at 20 Ill. Reg. 9281, effective July 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 12510, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 15722, effective November 27, 1996; amended at 20 Ill. Reg. 15722, effective November 27, 1996; amended at 21 Ill. Reg. 607, effective January 2, 1997; amended at 21 Ill. Reg. 8386, effective June 23, 1997; emergency amendment at 21 Ill. Reg. 9552, effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9822, effective July 2, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 10147, effective August 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 13349, effective September 23, 1997; emergency amendment at 21 Ill. Reg. 13675, effective September 27, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 16161, effective November 26, 1997; amended at 22 Ill. Reg. 1408, effective December 29, 1997; amended at 22 Ill. Reg. 3083, effective January 26, 1998; amended at 22 Ill. Reg. 11514, effective June 22, 1998; emergency amendment at 22 Ill. Reg. 13070, effective July 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 15027, effective August 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16273, effective August 28, 1998; amended at 22 Ill. Reg. 21490, effective November 25, 1998; amended at 23 Ill. Reg. 5784, effective April 30, 1999; amended at 23 Ill. Reg. 7115, effective June 1, 1999; amended at 23 Ill. Reg. 7908, effective June 30, 1999; emergency amendment at 23 Ill. Reg. 8213, effective July 1, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 12776, effective October 1, 1999, for a maximum of 150 days.

Section 148.295 Critical Hospital Adjustment Payments (CHAP) EMERGENCY

Critical Hospital Adjustment Payments (CHAP) shall be made to all eligible hospitals excluding county-owned hospitals, as described in Section 148.25 (b)(1)(A), and hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B), for inpatient admissions occurring on or after July 1, 1998, in accordance with this Section.

a) Trauma Center Adjustments (TCA)

The Department shall make a trauma center adjustment (TCA) to Illinois

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hospitals recognized, as of the first **last** day of July in June **preceding** the CHAP rate period, as a Level I or Level II trauma center by the Illinois Department of Public Health (IDPH) in accordance with the provisions of subsections (a)(1) through (a)(3) below.

1) Level I Trauma Center Adjustment (TCA).

A) Criteria. Illinois hospitals that, on the first **last** day of July in June **preceding** the CHAP rate period, are recognized as a Level I trauma center by the Illinois Department of Public Health shall receive the Level I trauma center adjustment.

B) Adjustment. Illinois hospitals meeting the criteria specified in subsection (a)(1)(A) above shall receive an adjustment as follows:

i) Hospitals with Medicaid trauma admissions equal to or greater than the mean Medicaid trauma admissions, for all hospitals qualifying under subsection (a)(1)(A) above, shall receive an adjustment of \$21,365 per Medicaid trauma admission in the CHAP base period.

ii) Hospitals with Medicaid trauma admissions less than the mean Medicaid trauma admissions, for all hospitals qualifying under subsection (a)(1)(A) above, shall receive an adjustment of \$14,165 per Medicaid trauma admission in the CHAP base period.

2) Level II Rural Trauma Center Adjustment (TCA). Illinois rural hospitals, as defined in Section 148.25(g)(3), that, on the first **last** day of July in June **preceding** the CHAP rate period, are recognized as a Level II trauma center by the Illinois Department of Public Health shall receive an adjustment of \$11,565 per Medicaid trauma admission in the CHAP base period.

3) Level II Urban Trauma Center Adjustment (TCA). Illinois urban hospitals, as described in Section 148.25(g)(4), that, on the first **last** day of July in June **preceding** the CHAP rate period, are recognized as Level II trauma centers by the Illinois Department of Public Health shall receive an adjustment of \$11,565 per Medicaid trauma admission in the CHAP base period, provided that such hospital meets the criteria described below:

A) The hospital is located in a county with no Level I trauma center; and

B) The hospital is located in a Health Professional Shortage Area (HPSA) (42 CFR 5), as of the first **last** day of July in June **preceding** the CHAP rate period, and has a Medicaid trauma admission percentage at or above the mean of the individual facility values determined in subsection (a)(3)(A) above; or the hospital is not located in a HPSA (42 CFR 5) and has a Medicaid trauma admission percentage that is at least the mean plus one standard deviation of the individual facility values determined in subsection (a)(3)(A) above.

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b) Rehabilitation Hospital Adjustment (RHA) Illinois hospitals that, on the first **last** day of July in June **preceding** the CHAP rate period, qualify as rehabilitation hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(2), and that are accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF), shall receive a rehabilitation hospital adjustment in the CHAP rate period that consists of the following three components:

1) Treatment Component. All hospitals defined in subsection (b) above shall receive \$4,595 per Medicaid Level I rehabilitation admission in the CHAP base period.

2) Facility Component. All hospitals defined in subsection (b) above shall receive a facility component that shall be based upon the number of Medicaid Level I rehabilitation admissions in the CHAP base period as follows:

A) Hospitals with fewer than 60 Medicaid Level I rehabilitation admissions in the CHAP base period shall receive a facility component of \$250,000 in the CHAP rate period.

B) Hospitals with 60 or more Medicaid Level I rehabilitation admissions in the CHAP base period shall receive a facility component of \$575,000 in the CHAP rate period.

3) Health Professional Shortage Area Adjustment Component. Hospitals defined in subsection (b) above, that are located in a Health Professional Shortage Area (HPSA) (42 CFR 5) as of the first **last** day of July in June **preceding** the CHAP rate period, shall receive \$300 per Medicaid Level I rehabilitation inpatient day in the CHAP base period.

c) Direct Hospital Adjustment (DHA) Criteria To qualify for the DHA under this subsection (c), hospitals must meet one of the following criteria.

1) Be an Illinois hospital located outside of Health Service Area (HSA) six that meets one of the following criteria:

A) Has a Medicaid inpatient utilization rate on the last day of June **preceding** the CHAP rate period, as defined in Section 148.120(k)(5), greater than 60 percent and has an average length of stay of less than ten days.

B) Is a major teaching hospital with 35 or more graduate medical education programs accredited by the American Accreditation Council for Graduate Medical Education, the American Osteopathic Association Division of Post-doctoral Training, or the American Dental Association Joint Commission on Dental Accreditation.

2) Be a hospital located in HSA six, excluding psychiatric and rehabilitation hospitals as defined in 89 Ill. Adm. Code 149.50(c)(1) and (c)(2), that meets one of the following criteria:

A) Is a hospital whose sum of the critical weighting factors is greater than one standard deviation above the mean of the summed critical weighting factors for all hospitals located

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within the same planning area. The critical weighting factor is determined as follows:

- i) Hospitals that, on the last day of June preceding the CHAP rate period, are designated as a Level III, II, or I Perinatal Center by the Illinois Department of Public Health shall receive a critical weighting factor of 10, 7.5, or 5 respectively depending on the hospital's perinatal level designation.
- ii) Hospitals that, on the last day of June preceding the CHAP rate period, are recognized as a Level I or II Trauma Center by the Illinois Department of Public Health shall receive a critical weighting factor of ten or five respectively depending on the hospital's trauma level designation.
- iii) Hospitals that, on the last day of June preceding the CHAP rate period, are eligible for disproportionate share payments as described in Section 148.120(g)(1) or (g)(2) shall receive a critical weighting factor of five.
- iv) Hospitals that have an occupancy ratio, as determined by the Illinois Department of Public Health (IDPH), based upon the most current IDPH published report entitled "Bed Count, Average Length of Stay, Average Daily Census and Percent Occupancy for Non-Federal Hospitals in Illinois", which is available to the Illinois Department of Public Aid on the last day of June preceding the CHAP rate period, which is equal to or greater than the mean occupancy ratio for all hospitals in the planning area shall receive a critical weighting factor of five.
- v) Hospitals that which have Medicaid obstetrical care admissions in the CHAP base period and that are equal to or greater than one-half a standard deviation above the mean Medicaid obstetrical care admissions in their planning area shall receive a critical weighting factor of ten. If the hospital's Medicaid obstetrical care admissions are greater than the mean but less than one-half a standard deviation above the mean Medicaid obstetrical care admissions in their planning area, the hospital shall receive a critical weighting factor of five.
- vi) Hospitals that on the last day of June preceding the CHAP rate period have a Medicaid inpatient utilization rate as defined in Section 148.120(k)(5) which is equal to or greater than one-half a standard deviation above the mean Medicaid inpatient utilization rate in their planning area, shall receive a critical weighting factor of ten. If the hospital's Medicaid

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inpatient utilization rate is greater than the mean but less than one-half a standard deviation above the mean Medicaid inpatient utilization rate in their planning area, the hospital shall receive a critical weighting factor of five.

- vii) Hospitals that which have Medicaid general care admissions in the CHAP base period and that are equal to or greater than one-half a standard deviation above the mean Medicaid general care admissions in their planning area shall receive a critical weighting factor of ten. If the hospital's Medicaid general care admissions are greater than the mean but less than one-half a standard deviation above the mean Medicaid general care admissions in their planning area, the hospital shall receive a critical weighting factor of five.
 - viii) Hospitals which have a cost per day at 80 percent occupancy that is less than or equal to one-half a standard deviation below the mean cost per day at 80 percent occupancy in their planning area shall receive a critical weighting factor of ten. If the hospital's cost per day at 80 percent occupancy is greater than one-half a standard deviation below the mean cost per day at 80 percent occupancy but less than the mean cost per day at 80 percent occupancy in their planning area, the hospital shall receive a critical weighting factor of five.
 - B) Is a major teaching hospital with 40 or more graduate medical education programs accredited by the American Accreditation Council for Graduate Medical Education, the American Osteopathic Association Division of Post-doctoral Training, or the American Dental Association Joint Commission on Dental Accreditation.
 - C) Is a hospital with 3,200 or more total Medicaid admissions in the CHAP base period.
- 3) Be a hospital qualifying under subsection (c)(2) above that has the highest number of Medicaid obstetrical care admissions in the CHAP base period.
 - 4) Be a hospital qualifying under subsection (c)(2) above that on the last day of June preceding the CHAP rate period, is designated as a Level III or II Perinatal Center by the Illinois Department of Public Health, and that has a Medicaid inpatient utilization rate, as defined in Section 148.120(k)(5), which is greater than one-half a standard deviation above the statewide mean Medicaid inpatient utilization rate, as defined in Section 148.120(k)(3), and that has at least one obstetrical graduate medical education program accredited by the American Accreditation Council for Graduate Medical Education, the

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American Osteopathic Association Division of Post-Doctoral Training, or the American Dental Association Joint Commission on Dental Accreditation.

- 5) Be a children's hospital, which means a hospital devoted exclusively to caring for children. A hospital which includes a facility devoted exclusively to caring for children that is separately licensed as a hospital by a municipality shall be considered a children's hospital to the degree that the hospital's Medicaid care is provided to children.

d) DHA Adjustment

Calculation of the DHA is as follows:

- 1) Hospitals qualifying under subsection (c)(1)(A) above shall receive a DHA of \$60 multiplied by the DHA Medicaid days in the CHAP base period.
- 2) Hospitals qualifying under subsection (c)(1)(B), (c)(2) or (c)(5) above shall receive a DHA of \$30 multiplied by the DHA Medicaid days in the CHAP base period.
- 3) Hospitals qualifying under subsection (c)(5) above which have a Medicaid inpatient utilization rate, as defined in Section 148.120(k)(5), on the last day of June preceding the CHAP rate period, that is greater than 85 percent shall receive an additional \$20 multiplied by the DHA Medicaid days in the CHAP base period.
- 4) Hospitals qualifying under subsection (c)(2)(B) above shall receive an additional \$10 multiplied by the DHA Medicaid days in the CHAP base period.
- 5) Hospitals qualifying under subsections (c)(2)(A) and (c)(2)(B) of this Section will receive an additional \$20 multiplied by DHA Medicaid days in the CHAP base period.
- 6) Hospitals qualifying under subsection (c)(3) or (c)(4) above shall receive an additional \$120 multiplied by the DHA Medicaid days in the CHAP base period if their Medicaid inpatient utilization rate, as defined in Section 148.120(k)(5), on the last day of June preceding the CHAP rate period, is equal to or greater than 50 percent; or \$65 multiplied by the DHA Medicaid days in the CHAP base period if their Medicaid inpatient utilization rate, as defined in Section 148.120(k)(5), on the last day of June preceding the CHAP rate period, is less than 50 percent.

- 7) Payments calculated according to the methodology in this subsection (d) shall end on September 30, 1999.

e) Direct Hospital Adjustment (DHA) Criteria

1) Qualifying Criteria

Hospitals may qualify for the DHA under this subsection (e) under the following categories:

- A) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals and long term stay hospitals, all other hospitals

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located in Health Service Area (HSA) 6 that either:

- i) were eligible for Direct Hospital Adjustments under the CHAP program as of July 1, 1999, and had a Medicaid inpatient utilization rate (MIUR) equal to or greater than the statewide mean in Illinois on July 1, 1999;
- ii) were eligible under the Supplemental Critical Hospital Adjustment Payment (SCHAP) program as of July 1, 1999, and had a MIUR equal to or greater than the statewide mean in Illinois on July 1, 1999; or
- iii) were county owned hospitals as defined in 89 Ill. Adm. Code 148.25(b)(1)(A), and had a MIUR equal to or greater than the statewide mean in Illinois on July 1, 1999.

- B) Hospitals located outside of HSA 6 that have a MIUR greater than 60 percent on July 1, 1999, and an average length of stay less than ten days. The following hospitals are excluded from qualifying from this criteria: children's hospitals; psychiatric hospitals; rehabilitation hospitals; and long term stay hospitals.

- C) Children's hospitals, as defined under Section 149.50(c)(3), on July 1, 1999.

- D) Teaching hospitals with more than 40 graduate medical education programs, on July 1, 1999, not qualifying in subsections (e)(1)(A), (B), or (C) above.

2) DHA Rates

- A) For hospitals qualifying under subsection (e)(1)(A) above, the DHA rates are as follows:

- i) Hospitals that have a Combined MIUR that is equal to or greater than the Statewide mean Combined MIUR, but less than one standard deviation above the Statewide mean Combined MIUR, will receive \$20 per day for hospitals that do not provide obstetrical care and \$15 per day for hospitals that do provide obstetrical care.

- ii) Hospital that have a Combined MIUR that is equal to or greater than one standard deviation above the Statewide mean Combined MIUR, but less than one and one-half standard deviation above the Statewide mean Combined MIUR, will receive \$40 per day for hospitals that do not provide obstetrical care, and \$15 per day for hospitals that do provide obstetrical care.

- iii) Hospitals that have a Combined MIUR that is equal to or greater than one and one-half standard deviation above the Statewide mean Combined MIUR, but less than two standard deviations above the Statewide mean Combined MIUR, will receive \$80 per day for hospitals that do not provide obstetrical care, and \$175 per day

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for hospitals that do provide obstetrical care.
iv) Hospitals that have a Combined MIUR that is equal to or greater than two standard deviations above the Statewide mean Combined MIUR will receive \$100 per day for hospitals that do not provide obstetrical care, and \$195 per day for hospitals that do provide obstetrical care.

B) Hospitals qualifying under subsection (e)(1)(A) above, will also receive the following rates:

- i) Hospitals with more than 30,000 Total days will have their rate increased by \$265 per day.
- ii) Hospitals with more than 80,000 Total days will have their rate increased by an additional \$380 per day.
- iii) Hospitals with more than 4,500 Obstetrical days will have their rate increased by \$110 per day.
- iv) Hospitals with more than 5,500 Obstetrical days will have their rate increased by an additional \$375 per day.
- v) Hospitals with an MIUR rate greater than 74 percent will have their rate increased by \$160 per day.
- vi) Hospitals with an average length of stay less than 3.9 days will have their rate increased by \$45 per day.

C) Hospitals qualifying under subsection (e)(1)(B) above will receive the following rates:

- i) Qualifying hospitals will receive a rate of \$330 per day.
- ii) Qualifying hospitals with the more than 1,500 Obstetrical days will have their rate increased by \$225 per day.

D) Hospitals qualifying under subsection (e)(1)(C) above will receive the following rates:

- i) Hospitals will receive a rate of \$30 per day.
- ii) Hospitals located in Illinois and outside of HSA 6, that have a Medicaid inpatient utilization rate greater than 60 percent, will have their rate increased by \$60 per day.
- iii) Hospitals located in Illinois and inside HSA 6, that have a Medicaid inpatient utilization rate greater than 80 percent, will have their rate increased by \$210 per day.

- iv) Hospitals that are not located in Illinois that have a Medicaid inpatient utilization rate greater than 45 percent will have their rate increased by \$35 per day.
- v) Hospitals with more than 3,200 Total admissions will have their rate increased by \$110 per day.

E) Hospitals qualifying under subsection (e)(1)(D) of this Section will receive the following rates:

- i) Hospitals will receive a rate of \$45 per day.

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ii) Hospitals with a MIUR between 18 percent and 19.75 percent will have their rate increased by an additional \$15 per day.

iii) Hospitals with a MIUR equal to or greater than 19.75 percent will have their rate increased by an additional \$50 per day.

3) DHA Payments

A) Payments under this subsection (e) will be made at least quarterly, beginning with the quarter ending December 31, 1999.

B) Payment rates will be multiplied by the Total days.

C) Total Payment Adjustments

i) For the CHAP rate period occurring in State fiscal year 2000, total payments will equal the methodologies described above, less the amount the hospital received under DHA and SCHAP for the quarter beginning July 1, 1999. For hospitals not qualifying for CHAP, DHA and SCHAP payments for the quarter ending September 30, 1999, total payments will equal the methodologies described above.

ii) For CHAP rate periods occurring after State fiscal year 2000, total payments will equal the methodologies described above.

f)et Rural Critical Hospital Adjustment Payments (RCHAP)

Rural Critical Hospital Adjustment Payments (RCHAP) shall be made to rural hospitals, as described in 89 Ill. Adm. Code 140.80(j)(1), for certain inpatient admissions. The hospital qualifying under this subsection that has the highest number of Medicaid obstetrical care admissions during the CHAP base period shall receive \$400,000 per year. The Department shall also make a RCHAP adjustment payment to hospitals qualifying under this subsection at a rate that is the greater of:

- 1) the product of \$1,490 multiplied by the number of RCHAP Obstetrical Care Admissions in the CHAP base period, or
- 2) the product of \$150 multiplied by the number of RCHAP General Care Admissions in the CHAP base period.

g)et Each eligible hospital's critical hospital adjustment payment for the CHAP rate period shall equal the sum of the amounts described in subsections (a), (b), (d) and (f)et above. The critical hospital adjustment payments shall be paid to eligible hospitals on a quarterly basis.

h)et Critical Hospital Adjustment Limitations

Hospitals that qualify for trauma center adjustments under subsection (a) shall not be eligible for the total trauma center adjustment if, during the CHAP rate period, the hospital is no longer recognized by the Illinois Department of Public Health as a Level I trauma center as required for the adjustment described in subsection (a)(1) above, or a Level II trauma center as required for the adjustment described in

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subsection (a)(2) or (a)(3) above. In these instances, the adjustments calculated shall be pro-rated, as applicable, based upon the date that such recognition ceased.

1)† In order to maintain critical hospital access, the Department shall make an additional one time CHAP payment in fiscal year 1999 to hospitals that meet one of the following:

1) A hospital located in HSA six, with a sum critical weighting factor equal to or greater than 37.5 that has an MIUR as defined in Section 148.120(k)(5) that is equal to or greater than 60 percent. Such a hospital shall receive \$10.50 multiplied by the DHA Medicaid days in the CHAP base period.

2) A hospital qualifying under subsection (c)(1)(A) of this Section with the highest number of Medicaid obstetrical care admissions in the CHAP base period. Such a hospital shall receive \$59 multiplied by the DHA Medicaid days in the CHAP base period.

1)†† Critical Hospital Adjustment Payment Definitions
The definitions of terms used with reference to calculation of the CHAP required by this Section are as follows:

1) "CHAP base period" means State Fiscal year 1994 for CHAP payments calculated for the July 1, 1995, CHAP rate period; State Fiscal year 1995 for CHAP payments calculated for the July 1, 1996, CHAP rate period; etc.

2) "CHAP rate period" means, beginning July 1, 1995, the 12 month period beginning on July 1 of the year and ending June 30 of the following year.

3) "Combined MIUR" means the sum of Medicaid Inpatient Utilization Rate (MIUR) as of July 1, 1999, and as defined in Section 148.120(k)(5), plus the Medicaid obstetrical inpatient utilization rate as described in Section 148.120(k)(6).

4)† "Cost per day at 80 percent occupancy" means the estimated inpatient cost per day had the hospital been operating at an 80 percent occupancy rate.

5)† "Medicaid general care admission" means hospital inpatient admissions which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of the Social Security Act, excluding admissions for normal newborns, Medicare/Medicaid crossover admissions, psychiatric and rehabilitation admissions.

6)† "Medicaid inpatient day" means hospital inpatient days which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of the Social Security Act, excluding days for normal newborns and Medicare/Medicaid crossover days.

7)† "Medicaid Level I rehabilitation admissions" means those claims billed as Level I admissions which were subsequently adjudicated

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by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, with an occurrence code of 63 when applicable and an ICD-9-CM principal diagnosis code of: 054.3, 310.1 through 310.2, 320.1, 336.0 through 336.9, 344.0 through 344.2, 344.8 through 344.9, 348.1, 801.30, 803.10, 803.84, 806.0 through 806.19, 806.20 through 806.24, 806.26, 806.29 through 806.34, 806.36, 806.4 through 806.5, 851.06, 851.80, 853.05, 854.0 through 854.04, 854.06, 854.1 through 854.14, 854.16, 854.19, 905.0, 907.0, 907.2, 952.0 through 952.09, 952.10 through 952.16, 952.2, and V57.0 through V57.9, excluding admissions for normal newborns.

8)†† "Medicaid Level I rehabilitation inpatient day" means the days associated with the claims defined in subsection 1)††(7) †††6† above.

9)† "Medicaid obstetrical care admission" means hospital inpatient admissions which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of Social Security Act, with an ICD-9-CM principal diagnosis code of 640.0 through 648.9 with a 5th digit of 1 or 2; 650; 651.0 through 659.9 with a 5th digit of 1, 2, 3, or 4; 660.0 through 669.9 with a 5th digit of 1, 2, 3, or 4; 670.0 through 676.9 with a 5th digit of 1 or 2; or V27 through V27.9; or V30 through V39.9; or any ICD-9-CM principal diagnosis code that is accompanied with a surgery procedure code between 72 and 75.99; and specifically excludes Medicare/Medicaid crossover claims.

10)† "Medicaid psychiatric days", as used in subsection 1)†(2)† †††††† below, means hospital inpatient days for the Supplemental CHAP base that are billed to the Department with a category of service 21.

11)†† "Medicaid rehabilitation days", as used in subsection 1)†(2)† †††††† below, means hospital inpatient days for the Supplemental CHAP base that are billed to the Department with a category of service 22.

12)††† "Medicaid trauma admission" means those claims billed as admissions which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, with an ICD-9-CM principal diagnosis code of: 800.0 through 800.99, 801.0 through 801.99, 802.0 through 802.99, 803.0 through 803.99, 804.0 through 804.99, 805.0 through 805.98, 806.0 through 806.99, 807.0 through 807.69, 808.0 through 808.9, 809.0 through 809.1, 828.0 through 828.1, 839.0 through 839.3, 839.7 through 839.9, 850.0 through 850.9, 851.0 through 851.99, 852.0 through 852.59, 853.0 through 853.19, 854.0 through 854.19, 860.0 through 860.5, 861.0 through 861.32, 862.8, 863.0 through 863.99, 864.0 through

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864.19, 865.0 through 865.19, 866.0 through 866.13, 867.0 through 867.9, 868.0 through 868.19, 869.0 through 869.1, 887.0 through 887.7, 896.0 through 896.3, 897.0 through 897.7, 900.0 through 900.9, 902.0 through 904.9, 925, 926.8, 929.0 through 929.99, 958.4, 958.5, 990 through 994.99. For those hospitals recognized as Level I trauma centers solely for pediatric trauma cases, Medicaid trauma admissions are only calculated for the claims billed as admissions, excluding admissions for normal newborns, which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, with ICD-9-CM diagnoses within the above ranges for children under the age of 18 excluding admissions for normal newborns.

13)127 "Medicaid trauma admission percentage" means a fraction, the numerator of which is the hospital's Medicaid trauma admissions and the denominator of which is the total Medicaid trauma admissions in a given 12 month period for all Level II urban trauma centers.

14)137 "RCHAP general care admission" means Medicaid General Care Admissions, as defined in subsection (j)(5) ¶¶44 above, less RCHAP Obstetrical Care Admissions, occurring in the CHAP base period.

15)147 "RCHAP obstetrical care admissions" means Medicaid General Care Admissions, as defined in subsection (j)(5) ¶¶44 above, with a Diagnosis Related Group (DRG) of 370 through 375, occurring in the CHAP base period.

16) "Total admissions" means total paid admission contained in the Department's paid claims database, including obstetrical admissions multiplied by two and excluding Medicare crossover admissions, for dates of service occurring in State fiscal year 1998 and adjudicated through June 30, 1999.

17) "Total days" means total paid days contained in the Department's paid claims database, including obstetrical days multiplied by two and excluding Medicare crossover days for dates of service occurring in State fiscal year 1998 and adjudicated through June 30, 1999.

18) "Total obstetrical days" means hospital inpatient days for dates of service occurring in State fiscal year 1998 and adjudicated through June 30, 1999, with an ICD-9-CM principal diagnosis code of 640.0 through 648.9 with a 5th digit of 1 or 2; 650; 651.0 through 659.9 with a 5th digit of 1, 2, 3, or 4; 660.0 through 669.9 with a 5th digit of 1, 2, 3, or 4; 670.0 through 676.9 with a 5th digit of 1 or 2; V27 through V27.9; V30 through V39.9 or any ICD-9-CM principal diagnosis code that is accompanied with a surgery procedure code between 72 and 75.99; and specifically excludes Medicare/Medicaid crossover claims.

19)157 "Total Medicaid admissions" means hospital inpatient admissions for the CHAP base period for recipients of medical

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assistance under Title XIX of the Social Security Act, excluding admissions for normal newborns and Medicare/Medicaid crossover admissions.

20)167 "Total Medicaid days" means hospital inpatient days for the CHAP base period for recipients of medical assistance under Title XIX of the Social Security Act, excluding days for normal newborns and Medicare/Medicaid crossover admissions.

21)177 "PMA Medicaid days" means total Medicaid days that include Medicaid psychiatric days and Medicaid rehabilitation days for the CHAP base period multiplied by a factor of two.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 12772, effective October 1, 1999, for a maximum of 150 days)

Section 148.296 Supplemental Critical Hospital Adjustment Payments (SCHAP) EMERGENCY

Supplemental Critical Hospital Adjustment Payments (SCHAP) shall be made to all eligible hospitals excluding county-owned hospitals, as described in Section 148.25(b)(1)(A), hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B), hospitals described in 89 Ill. Adm. Code 149.50(c)(1), (c)(2) or (c)(4), and hospitals described in Section 148.120(a)(5) not meeting the criteria in subsection (a)(3) or (a)(8) below, for inpatient admissions occurring on or after July 1, 1998, in accordance with this Section.

a) To qualify for payments under this Section, a hospital must be located in Health Service Area (HSA) 6 or HSA 11 and satisfy one of the following criteria during the Supplemental CHAP base period:

1) A hospital's:

A) Medicaid obstetrical care admissions are greater than or equal to the mean number of Medicaid obstetrical care admissions for all hospitals located within the same health facilities planning area,

B) Total critical weighting factor is greater than or equal to the mean total critical weighting factors of all hospitals located within the same HSA, and

C) Medicaid Inpatient Utilization Rate (MIUR) is greater than or equal to the mean MIUR of all hospitals located within the same HSA.

2) A hospital has:

A) 3900 or more total Medicaid admissions,

B) an occupancy percentage rate greater than the mean occupancy percentage rate, as defined by the Department of Public Health, of all hospitals within the same HSA, and

C) an MIUR greater than or equal to 50 percent.

3) A hospital is a children's hospital, as defined in Section 148.120(a)(5), and has an MIUR greater than or equal to 80 percent.

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- 4) A hospital is located in a health facilities planning area where all hospitals also are located in a Health Professional Shortage Area (HPSA), as designated in the Federal Register for the Supplemental CHAP base period, and has the greatest number of Medicaid obstetrical care admissions among all hospitals within that same health facilities planning area.
- 5) A hospital provides at least 900 Medicaid obstetrical admissions and possesses an MIUR that is greater than or equal to 70 percent.
- 6) A hospital has an MIUR that is greater than or equal to 75 percent.
- 7) A hospital with a level II perinatal center with an average length of stay that is less than 4.6 days and a cost to day ratio of \$650 or less, as described in Section 148.295(c)(2)(A)(viii).
- 8) A children's hospital, as described at 89 Ill. Adm. Code 149.50(c)(3) with 4500 or more total Medicaid admissions during the Supplemental CHAP base period.
- b) The Department will make payments during the CHAP rate period to qualifying SCHAP hospitals under the following methodology.
 - 1) For hospitals qualifying under subsection (a)(1) above that are located in HSA 6, the payment shall equal the product of the total Medicaid admissions multiplied by:
 - A) \$620 for hospitals that:
 - i) have an MIUR that is greater than or equal to one standard deviation above the mean MIUR of all hospitals within HSA 6, and
 - ii) have a total critical weighting factor that is greater than or equal to one standard deviation above the mean of the total critical weighting factor for all hospitals within HSA 6.
 - B) \$615 for hospitals that:
 - i) have an MIUR that is greater than or equal to one-half standard deviation, but less than one standard deviation, above the mean MIUR of all hospitals within HSA 6, and
 - ii) have a total critical weighting factor that is greater than or equal to one-half standard deviation, but less than one standard deviation, above the mean total critical weighting factor of all hospitals within HSA 6.
 - C) \$610 for hospitals that:
 - i) have an MIUR that is greater than or equal to, but less than one-half standard deviation above, the mean MIUR of all hospitals within HSA 6, and
 - ii) have a total critical weighting factor that is greater than or equal to, but less than one-half standard deviation above, the mean total critical weighting factor of all hospitals within HSA 6.

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- 2) For hospitals qualifying under subsection (a)(1) above that are located in HSA 11, the payment shall equal the product of the total Medicaid admissions multiplied by:
 - A) \$835 for hospitals that:
 - i) have an MIUR that is greater than or equal to one standard deviation above the mean MIUR of all hospitals within HSA 11, and
 - ii) have a total critical weighting factor that is greater than or equal to one standard deviation above the mean of the total critical weighting factor for all hospitals within HSA 11.
 - B) \$775 for hospitals that:
 - i) have an MIUR that is greater than or equal to one-half standard deviation, but less than one standard deviation, above the mean MIUR of all hospitals within HSA 11, and
 - ii) have a total critical weighting factor that is greater than or equal to one-half standard deviation, but less than one standard deviation, above the mean total critical weighting factor of all hospitals within HSA 11.
 - C) \$700 for hospitals that:
 - i) have an MIUR that is greater than or equal to, but less than one-half standard deviation above, the mean MIUR of all hospitals within HSA 11, and
 - ii) have a total critical weighting factor that is greater than or equal to, but less than one-half standard deviation above, the mean total critical weighting factor of all hospitals within HSA 11.
- 3) For hospitals qualifying under subsection (a)(2) above, the payment shall equal the product of the total Medicaid admissions multiplied by \$375.
- 4) For hospitals qualifying under subsection (a)(3) above, the payment shall equal the product of the total Medicaid days multiplied by \$125.
- 5) For hospitals qualifying under subsection (a)(4) above, the payment shall equal the product of the total Medicaid days multiplied by \$99.50.
- 6) For hospitals qualifying under subsection (a)(5) above and located in HSA 6, the payment shall equal the product of the total Medicaid admissions multiplied by \$875.
- 7) For hospitals qualifying under subsection (a)(5) above and located in HSA 11, the payment shall equal the product of the total Medicaid admissions multiplied by \$835.
- 8) For hospitals qualifying under subsection (a)(6) above and located in HSA 6, the payment shall equal the product of the total Medicaid admissions multiplied by \$420.
- 9) For hospitals qualifying under subsection (a)(6) above and

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located in HSA 11, the payment shall equal the product of the total Medicaid admissions multiplied by \$400.

- c) A hospital may only receive payments under one of the payment methodologies described in subsection (b) above. In the event that a hospital qualifies under more than one criterion under subsection (a) of this Section, the Department will reimburse the hospital using the payment methodology that allows the largest payment.

- d) For any hospital that meets any of the payment criteria under subsection (b) above, the Department will increase the SCHAP payment if, during the Supplemental CHAP base period, a hospital meets either or both of the conditions under subsection (d)(1) or (d)(2) below.

1) A hospital has:

- A) Medicaid obstetrical care admissions greater than or equal to the mean number of Medicaid obstetrical care admissions of all hospitals located in the qualifying hospital's HSA,
 B) a total critical weighting factor that is greater than or equal to the mean total critical weighting factor of all hospitals located in the qualifying hospital's HSA, and
 C) an MIUR greater than or equal to the mean MIUR of all hospitals located in the qualifying hospital's HSA.

- 2) A hospital has an MIUR greater than or equal to 70 percent.

- e) Additional SCHAP payments shall be paid under the following methodologies:

- 1) For hospitals qualifying under subsection (d)(1) above and located in HSA 6, the payment shall equal the product of \$40 multiplied by the hospital's total SCHAP admissions.
 2) For hospitals qualifying under subsection (d)(1) above and located in HSA 11, the payment shall equal the product of \$405 multiplied by the hospital's total SCHAP admissions.
 3) For hospitals qualifying under subsection (d)(2) above and located in HSA 6, the payment shall equal the product of \$185 multiplied by the hospital's total SCHAP admissions.
 4) For hospitals qualifying under subsection (d)(2) above and located in HSA 11, the payment shall equal the product of \$330 multiplied by the hospital's total SCHAP admissions.
 5) For hospitals qualifying under subsection (a)(7) above, an additional payment shall be made that equals the product of \$150 multiplied by the number of DHA days in the Supplemental CHAP base period.
 6) For hospitals qualifying under subsection (a)(8) above, an additional payment shall be made that equals the product of \$435 multiplied by the total Medicaid admissions in the Supplemental CHAP base period.

- f) Payments in this Section 148.296 shall end on September 30, 1999.

g) SCHAP payments under this Section shall be paid on a quarterly basis.

h) Definitions:

- 1) "Supplemental CHAP base period" means services provided during State Fiscal Year 1995 and adjudicated by the Department by June

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30, 1996.

- 2) "CHAP rate period", as used in this Section, has the same meaning as defined in Section 148.295(i)(4)(2).
 3) "Medicaid Inpatient Utilization Rate (MIUR)", as used in this Section, has the same meaning as defined in Section 148.120(k)(5), in effect for the rate period October 1, 1996, through September 30, 1997.
 4) "Medicaid obstetrical care admissions", as used in this Section, has the same meaning as defined in Section 148.295(i)(9)(4)(4)(b) for the Supplemental CHAP base period.
 5) "Medicaid psychiatric admissions", as used in subsection (b)(7)(10) below, means hospital inpatient admissions for the Supplemental CHAP base that are billed to the Department with a category of service 21.
 6) "Medicaid rehabilitation admissions", as used in subsection (b)(7)(10) below, means hospital inpatient admissions for the Supplemental CHAP base that are billed to the Department with a category of service 22.
 7) "Total critical weighting factor", as used in this Section, has the same meaning as "sum of the critical weighting factors" as defined in Section 148.295(c)(2)(A) for the Supplemental CHAP base period.
 8) "Total Medicaid admissions" means hospital inpatient admissions for the Supplemental CHAP base period for recipients of medical assistance under Title XIX of the Social Security Act, excluding admissions for normal newborns and Medicare/Medicaid crossover admissions.
 9) "Total Medicaid days" means hospital days for the Supplemental CHAP base period for recipients of medical assistance under Title XIX of the Social Security Act, excluding days for normal newborns and Medicare/Medicaid crossover days.
 10) "Total SCHAP admissions" means total Medicaid admissions that include Medicaid psychiatric admissions and Medicaid rehabilitation admissions for the Supplemental CHAP base period multiplied by a factor of two.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. effective October 1, 1999, for a maximum of 150 days)

12772

Section 148.298 Pediatric Inpatient Adjustment Payments

EMERGENCY

Pediatric Inpatient Adjustment Payments shall be made, on a quarterly basis, to all eligible hospitals excluding county-owned hospitals, as described in Section 148.25(b)(1)(A), and hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B), for inpatient services occurring on or after July 1, 1998, in accordance with this Section.

- a) To qualify for payments under this subsection (a) Section, a hospital

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must be a children's hospital, as defined in 89 Ill. Adm. Code 149.50(c)(3), that was licensed by a municipality on or before December 31, 1997. Hospitals qualifying under this subsection **Section** shall receive an adjustment for inpatient services equal to the product of the hospital's psychiatric and physical rehabilitation days, provided to children under 18 years of age during the adjustment base year, multiplied by \$890 per day. Payments under this subsection will be based on the following methodology:

1)b The calculation under this subsection (a) of **this-Section** may not exceed more than 850 days.

2)c For the purposes of calculating payments under this subsection (a) **Section**, the adjustment base year shall be psychiatric and physical rehabilitation days of care provided by the portion of the hospital that the Department does not recognize as a children's hospital. Such days include those provided in State fiscal year 1997 and adjudicated by the Department through March 31, 1998.

b In addition to the payments described under subsection (a) above, any children's hospital, as defined in 89 Ill. Adm. Code 149.50(c)(3), will receive an additional adjustment equal to the product of the hospital's total paid days, excluding Medicare crossover claims, multiplied by \$123.50 per day. Such days include those provided in State fiscal year 1999 and adjudicated by the Department through May 31, 1999.

c For the rate year occurring in State fiscal year 2000, total payments made under subsection (b) above will be made in three equal payments beginning with the quarter ending December 31, 1999.

d For rate years occurring after State fiscal year 2000, total payments made under subsection (b) above will be made in four equal payments.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 127 / 2, effective October 1, 1999, for a maximum of 150 days)

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1 Heading of the Part: Long Term Care Reimbursement Changes

2 Code Citation: 89 Ill. Adm. Code 153

3 Section Numbers: Emergency Action:
153.125 Amendment

4 Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13], Public Act 91-0020 and Public Act 91-0024

5 Effective Date: October 1, 1999

6 If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable

7 Date filed with the Index Department: October 1, 1999

8 A copy of the emergency amendment, including any materials incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9 Reason for Emergency: These emergency amendments are being filed pursuant to the State's fiscal year 2000 budget plan and Public Acts 91-0020 and 91-0024 regarding a rate increase for nursing facilities. Effective October 1, 1999, nursing facility rates will be increased in the amount of \$4.00 per resident day. Emergency rulemaking is specifically authorized for the implementation of these reimbursement changes by Section 5-45 of Public Act 91-0024.

10 Complete Description of the Subjects and Issues Involved: These emergency amendments to the Department's rules regarding long term care reimbursement are necessary to provide certain reimbursement increases as required under Public Acts 91-0020 and 91-0024. These changes will allow for an increase in nursing facility (SNF/ICF) rates amounting to \$4.00 per resident day for services delivered on or after October 1, 1999. Identical proposed amendments were published in the *Illinois Register* on July 23, 1999, at 23 Ill. Reg. 8328.

The Department anticipates a budgetary increase of \$56.3 million for fiscal year 2000 as a result of these emergency amendments.

11 Are there any other amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
153.100	Amendment	July 16, 1999 (23 Ill. Reg. 7843)
153.100	Amendment	July 23, 1999 (23 Ill. Reg. 8328)
153.125	Amendment	July 16, 1999 (23 Ill. Reg. 7843)

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- 153.125 Amendment July 23, 1999 (23 Ill. Reg. 8328)
- 12) Statement of Statewide Policy Objectives: These emergency amendments neither create nor expand any state mandates affecting units of local government.

- 13) Information and questions regarding this amendment shall be directed to:

Joanne Jones
Office of the General Counsel - Rules
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, Illinois 62763-0002
(217) 524-0081

The full text of the emergency amendments begins on the next page:

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NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER e: GENERAL TIME-LIMITED CHANGES

PART 153

LONG TERM CARE REIMBURSEMENT CHANGES

Section

153.100 Reimbursement for Long Term Care Services

EMERGENCY

153.125 Long Term Care Facility Rate Adjustment

EMERGENCY

153.150 Quality Assurance Review (Repealed)

AUTHORITY: Implementing and authorized by Articles III, IV, V, VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, and VI and 12-13].

SOURCE: Emergency rules adopted at 18 Ill. Reg. 2159, effective January 18, 1994, for maximum of 150 days; adopted at 18 Ill. Reg. 10154, effective June 17, 1994; emergency amendment at 18 Ill. Reg. 11380, effective July 1, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16669, effective November 1, 1994; emergency amendment at 19 Ill. Reg. 10245, effective June 30, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 16281, effective November 27, 1995; emergency amendment at 20 Ill. Reg. 9306, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 14840, effective November 1, 1996; emergency amendment at 21 Ill. Reg. 9568, effective July 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 13633, effective October 1, 1997; emergency amendment at 22 Ill. Reg. 13114, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16285, effective August 28, 1998; amended at 22 Ill. Reg. 19872, effective October 30, 1998; emergency amendment at 23 Ill. Reg. 8229, effective July 1, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 12794, effective October 1, 1999, for a maximum of 150 days.

Section 153.125 Long Term Care Facility Rate AdjustmentEMERGENCY

- a) Notwithstanding the provisions set forth in Section 153.100, long term care facility (SNF/ICF and ICF/MR) rates established on July 1, 1996, shall be increased by 6.8 percent for services provided on or after January 1, 1997.
- b) Notwithstanding the provisions set forth in Section 153.100, long term care facility (SNF/ICF and ICF/MR) rates and day training rates established on July 1, 1998, for services provided on or after that date, shall be increased by three percent. For nursing facilities (SNF/ICF) only, \$1.10 shall also be added to the nursing component of the rate.

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

c) Notwithstanding the provisions set forth in Section 153.100, SNF/ICF rates shall be increased by \$4.00 per resident day for services provided on or after October 1, 1999.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 12794, effective October 1, 1999, for a maximum of 150 days)

DEPARTMENT OF AGRICULTURE

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part: Animal Disease Laboratories Act
- 2) Code Citation: 8 Ill. Adm. Code 110
- 3) Register Citation to Notice of Proposed Amendments: 23 Ill. Reg. 11356; September 17, 1999
- 4) Date, Time and Location of Public Hearing:
Thursday, October 28, 1999, 10:00 a.m.
Illinois Department of Agriculture
State Fairgrounds, 8th & Sangamon
Springfield, IL 62794-9281

5) Other Pertinent Information:

Each person presenting oral testimony shall provide a written copy of such testimony at the time the oral testimony is presented.

Individuals who are unable to attend the public hearing but wish to comment on the proposed amendments should submit written comments to:

Department of Agriculture
Attention: Linda Rhodes
P.O. Box 19281
Springfield, IL 62794-9281
217/785-5713; Fax #: 217/785-4505

In order for mailed comments to be available for consideration at the public hearing, please mail no later than October 22, 1999. All comments received will be fully considered by the agency.

DEPARTMENT OF AGRICULTURE

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part: Diseased Animals
- 2) Code Citation: 8 Ill. Adm. Code 85
- 3) Register Citation to Notice of Proposed Amendments: 23 Ill. Reg. 11369; September 17, 1999
- 4) Date, Time and Location of Public Hearing:

Thursday, October 28, 1999, 10:00 a.m.
Illinois Department of Agriculture
State Fairgrounds, 8th & Sangamon
Springfield, IL 62794-9281

- 5) Other Pertinent Information: Each person presenting oral testimony shall provide a written copy of such testimony at the time the oral testimony is presented.

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Attention: Linda Rhodes
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DEPARTMENT OF AGRICULTURE

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois Bovidae and Cervidae Tuberculosis Eradication Act
- 2) Code Citation: 8 Ill. Adm. Code 80
- 3) Register Citation to Notice of Proposed Amendments: 23 Ill. Reg. 11369; September 17, 1999
- 4) Date, Time and Location of Public Hearing:

Thursday, October 28, 1999, 10:00 a.m.
Illinois Department of Agriculture
State Fairgrounds, 8th & Sangamon
Springfield, IL 62794-9281

- 5) Other Pertinent Information: Each person presenting oral testimony shall provide a written copy of such testimony at the time the oral testimony is presented.

Individuals who are unable to attend the public hearing but wish to comment on the proposed amendments should submit written comments to:

Department of Agriculture
Attention: Linda Rhodes
P.O. Box 19281
Springfield, IL 62794-9281
217/785-5713; FAX #: 217/785-4505.

In order for mailed comments to be available for consideration at the public hearing, please mail no later than October 22, 1999. All comments received will be fully considered by the agency.

DEPARTMENT OF AGRICULTURE

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois Dead Animal Disposal Act
- 2) Code Citation: 8 Ill. Adm. Code 90
- 3) Register Citation to Notice of Proposed Amendments: 23 Ill. Reg. 11380; September 17, 1999
- 4) Date, Time and Location of Public Hearing:

Thursday, October 28, 1999, 10:00 a.m.
Illinois Department of Agriculture
State Fairgrounds, 8th & Sangamon
Springfield, IL 62794-9281

- 5) Other Pertinent Information: Each person presenting oral testimony shall provide a written copy of such testimony at the time the oral testimony is presented.

Individuals who are unable to attend the public hearing but wish to comment on the proposed amendments should submit written comments to:

Department of Agriculture
Attention: Linda Rhodes
P.O. Box 19281
Springfield, IL 62794-9281
217/785-5713; FAX #: 217/785-4505.

In order for mailed comments to be available for consideration at the public hearing, please mail no later than October 22, 1999. All comments received will be fully considered by the agency.

DEPARTMENT OF AGRICULTURE

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois Pseudorabies Control Act
- 2) Code Citation: 8 Ill. Adm. Code 115
- 3) Register Citation to Notice of Proposed Amendments: 23 Ill. Reg. 11387; September 17, 1999
- 4) Date, Time and Location of Public Hearing:

Thursday, October 28, 1999, 10:00 a.m.
Illinois Department of Agriculture
State Fairgrounds, 8th & Sangamon
Springfield, IL 62794-9281

- 5) Other Pertinent Information: Each person presenting oral testimony shall provide a written copy of such testimony at the time the oral testimony is presented.

Individuals who are unable to attend the public hearing but wish to comment on the proposed amendments should submit written comments to:

Department of Agriculture
Attention: Linda Rhodes
P.O. Box 19281
Springfield, IL 62794-9281
217/785-5713; FAX #: 217/785-4505

In order for mailed comments to be available for consideration at the public hearing, please mail no later than October 22, 1999. All comments received will be fully considered by the agency.

DEPARTMENT OF AGRICULTURE

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

1) Heading of the Part: Illinois Swine Disease Control and Eradication Act

2) Code Citation: 8 Ill. Adm. Code 105

3) Register Citation to Notice of Proposed Amendments: 23 Ill. Reg. 11392; September 17, 1999

4) Date, Time and Location of Public Hearing:

Thursday, October 28, 1999, 10:00 a.m.
Illinois Department of Agriculture
State Fairgrounds, 8th & Sangamon
Springfield, IL 62794-9281

5) Other Pertinent Information: Each person presenting oral testimony shall provide a written copy of such testimony at the time the oral testimony is presented.

Individuals who are unable to attend the public hearing but wish to comment on the proposed amendments should submit written comments to:

Department of Agriculture
Attention: Linda Rhodes
P.O. Box 19281
Springfield, IL 62794-9281
217/785-5713; FAX #: 217/785-4505.

In order for mailed comments to be available for consideration at the public hearing, please mail no later than October 22, 1999. All comments received will be fully considered by the agency.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC HEARING ON THE UNIFORM PENALTY AND INTEREST ACT

1) Heading of the Part: Uniform Penalty and Interest Act

2) Code Citation: 35 ILCS 735/3-1; 86 Ill. Adm. Code 700

3) Register Citation of Notice of Proposed Rules: Proposed changes to either UPIA or the corresponding rules have yet to be made. Public comment is sought pursuant to the requirements of Public Act 89-379 and in anticipation of future changes.

4) Date, Time and Location of Public Hearing:

November 19, 1999
9:00 A.M. to 1:00 P.M.
James R. Thompson Center
100 West Randolph
Room: 9-040
Chicago, Illinois

5) Other Pertinent Information: Pursuant to Section 30 of Public Act 89-379, as codified in Section 3-11 of the Uniform Penalty and Interest Act ("UPIA"; 35 ILCS 735/3-11), this Public Hearing is scheduled to invite public comment on the effectiveness of the late filing and late payment penalty provisions of UPIA Section 3-3. UPIA provides, along with other penalty provisions, a simplified and uniform approach for assessing penalty and interest on late filing and late payment of virtually every tax administered by the Department. The public is invited to comment on the effect UPIA has had on taxpayer compliance with state tax reporting and payment requirements. The public may also submit any suggestions for improvements to, and administration of, UPIA.

The Public Hearing will be held for the sole purpose of gathering public comment. All comments and suggestions will be given due consideration by the Department in preparation of a report to the General Assembly on UPIA effectiveness.

Persons interested in presenting testimony are advised that the Department will adhere to the following procedures in the conduct of the hearing:

1. Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
2. Each person presenting oral testimony will be limited to fifteen minutes for the presentation of such testimony.
3. No person will be recognized to speak for a second time until all persons wishing to testify have done so.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC HEARING ON THE UNIFORM PENALTY AND INTEREST ACT

4. All testimony shall conclude at the specified time except that an individual presenting testimony at that time shall be allowed to complete the presentation.

- 6) Name and Address of Agency Contact Person: Persons with questions regarding the Public Hearing may contact:

Illinois Department Of Revenue

Dana Deen Kinion
Legal Services Division
101 W. Jefferson, 5-500
Springfield, IL 62794
(217) 782-7055
dkinion@revenue.state.il.us

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
OCTOBER 19, 1999

NOTICES: Due to Register submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting.

It is the policy of the Committee to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

*Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706*

RULEMAKINGS SCHEDULED FOR JCAR REVIEW

The following rulemakings are scheduled for review at this meeting. JCAR staff may be proposing action with respect to some of these rulemakings. JCAR members may have questions concerning, and may initiate action with respect to, any item scheduled for JCAR review and any other issues within the Committee's purview.

PROPOSED RULEMAKINGSBanks and Real Estate

1. Illinois Savings and Loan Act of 1985 (38 Ill Adm Code 1000)
-First Notice Published: 23 Ill Reg 8544 - 7/30/99
-Expiration of Second Notice: 10/28/99
2. Residential Mortgage License Act of 1987 (38 Ill Adm Code 1050)
-First Notice Published: 23 Ill Reg 8555 - 7/30/99
-Expiration of Second Notice: 10/28/99
3. Savings Bank Act (38 Ill Adm Code 1075)
-First Notice Published: 23 Ill Reg 8564 - 7/30/99
-Expiration of Second Notice: 10/28/99

Central Management Services

4. Conditions of Employment (80 Ill Adm Code 303)
-First Notice Published: 23 Ill Reg 8737 - 8/6/99
-Expiration of Second Notice: 11/11/99

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
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5. Pay Plan (80 Ill Adm Code 310)
-First Notice Published: 23 Ill Reg 6270 - 6/4/99
-Expiration of Second Notice: 10/24/99
 6. Pay Plan (80 Ill Adm Code 310)
-First Notice Published: 23 Ill Reg 7820 - 7/16/99
-Expiration of Second Notice: 10/29/99
- Corrections
7. Correctional Industries (20 Ill Adm Code 117)
-First Notice Published: 23 Ill Reg 4339 - 4/16/99
-Expiration of Second Notice: 10/28/99
- Education
8. Student Records (23 Ill Adm Code 375)
-First notice Published: 23 Ill Reg 5385 - 5/7/99
-Expiration of Second Notice: 11/6/99
 9. Public University Laboratory Schools (23 Ill Adm Code 452)
-First Notice Published: 23 Ill Reg 7351 - 7/2/99
-Expiration of Second Notice: 11/6/99
- Financial Institutions
10. Illinois Credit Union Act (38 Ill Adm Code 190)
-First Notice Published: 23 Ill Reg 7699 - 7/9/99
-Expiration of Second Notice: 10/31/99
- Housing Development Authority
11. Low-Income Housing Tax Credit Allocation (47 Ill Adm Code 350)
-First Notice Published: 23 Ill Reg 7826 - 7/16/99
-Expiration of Second Notice: 11/27/99
- Human Rights
12. Repeal of Department of Purchasing Procedures (44 Ill Adm Code 760)
-First Notice Published: 23 Ill Reg 8882 - 8/13/99
-Expiration of Second Notice: 11/12/99
- Human Services

JOINT COMMITTEE ON ADMINISTRATIVE RULES

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13. Subacute Alcoholism and Substance Abuse Treatment Services (77 Ill Adm Code 2090)
-First Notice Published: 23 Ill Reg 8748 - 8/6/99
-Expiration of Second Notice: 11/11/99
 14. Temporary Assistance for Needy Families (89 Ill Adm Code 112)
-First Notice Published: 23 Ill Reg 8579 - 7/30/99
-Expiration of Second Notice: 11/14/99
 15. Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113)
-First Notice Published: 23 Ill Reg 8575 - 7/30/99
-Expiration of Second Notice: 11/14/99
 16. General Assistance (89 Ill Adm Code 114)
-First Notice Published: 23 Ill Reg 8577 - 7/30/99
-Expiration of Second Notice: 11/14/99
 17. General Program Provisions (89 Ill Adm Code 676)
-First Notice Published: 23 Ill Reg 8742 - 8/6/99
-Expiration of Second Notice: 11/11/99
- Liquor Control Commission
18. The Illinois Liquor Control Commission (11 Ill Adm Code 100)
-First Notice Published: 23 Ill Reg 8581 - 7/30/99
-Expiration of Second Notice: 11/10/99
- Public Aid
19. Medical Payment (89 Ill Adm Code 140)
-First Notice Published: 23 Ill Reg 8603 - 7/30/99
-Expiration of Second Notice: 11/7/99
- tcl 20.
Specialized Health Care Delivery Systems (89 Ill Adm Code 146)
-First Notice Published: 23 Ill Reg 7846 - 7/16/99
-Expiration of Second Notice: 11/13/99
21. Hospital Services (89 Ill Adm Code 148)
-First Notice Published: 23 Ill Reg 7475 - 7/2/99
-Expiration of Second Notice: 10/24/99
 22. Hospital Services (89 Ill Adm Code 148)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER
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- First Notice Published: 23 Ill Reg 7840 - 7/16/99
-Expiration of Second Notice: 11/13/99

Public Health

23. Hospital Licensing Requirements (77 Ill Adm Code 250)
-First Notice Published: 23 Ill Reg 6762 - 6/4/99
-Expiration of Second Notice: 10/22/99

Racing Board

24. Pari-Mutuels (11 Ill Adm Code 300)
-First Notice Published: 23 Ill Reg 8621 - 7/30/99
-Expiration of Second Notice: 11/13/99

25. Repeal of Race Track Improvement Fund (11 Ill Adm Code 404)
-First Notice Published: 23 Ill Reg 8625 - 7/30/99
-Expiration of Second Notice: 11/13/99

26. Race Track Operators and Their Duties (11 Ill Adm Code 1305)
-First Notice Published: 23 Ill Reg 8631 - 7/30/99
-Expiration of Second Notice: 11/13/99

27. Regulations for Meetings (11 Ill Adm Code 1424)
-First Notice Published: 23 Ill Reg 8635 - 7/30/99
-Expiration of Second Notice: 11/13/99

Secretary of State

28. Lobbyist Registration and Reports (2 Ill Adm Code 560)
-First Notice Published: 23 Ill Reg 5235 - 4/30/99
-Expiration of Second Notice: 11/12/99

29. Standard Procurement (44 Ill Adm Code 2000)
-First Notice Published: 23 Ill Reg 5640 - 5/14/99
-Expiration of Second Notice: 11/10/99

30. Issuance of Licenses (92 Ill Adm Code 1030)
-First Notice Published: 23 Ill Reg 8962 - 8/13/99
-Expiration of Second Notice: 11/12/99

State University Retirement System

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
OCTOBER 19, 1999

31. Universities Retirement (80 Ill Adm Code 1600)
-First Notice Published: 23 Ill Reg 8348 - 7/23/99
-Expiration of Second Notice: 10/30/99

EMERGENCY AND PEREMPTORY RULEMAKINGSCapital Development Board

32. Standards for Award of Grants: School Construction Program (71 Ill Adm Code 40) (Emergency)
-Notice Published: 23 Ill Reg 11320 - 9/10/99

Central Management Services

33. The Travel Regulation Council (80 Ill Adm Code 3000) (Emergency)
-Notice Published: 23 Ill Reg 11332 - 9/10/99

Education

34. School Construction Program (23 Ill Adm Code 151) (Emergency)
-Notice Published: 23 Ill Reg 11336 - 9/10/99

Higher Education

35. General Grant Programs (23 Ill Adm Code 1001) (Emergency)
-Notice Published: 23 Ill Reg 11982 - 10/1/99

Human Services

36. Administration of Medication in Community Settings (59 Ill Adm Code 116) (Emergency)
-Notice Published: 23 Ill Reg 11988 - 10/1/99

Public Aid

37. Practice in Administrative Hearings (89 Ill Adm Code 104) (Emergency)
-Notice Published: 23 Ill Reg 11734 - 9/17/99

38. Child Support Enforcement (89 Ill Adm Code 160) (Emergency)
-Notice Published: 23 Ill Reg 11715 - 9/17/99

AGENCY RESPONSE

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER
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CHICAGO, ILLINOIS
10:30 A.M.
OCTOBER 19, 1999

Human Services

39. Subacute Alcoholism and Substance Abuse Treatment Services (77 Ill Adm Code 2090) (Emergency)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of September 28, 1999 through October 4, 1999 and have been scheduled for review by the Committee at its October 19, 1999 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start Of First Notice	JCAR Meeting
11/11/99	Department of Central Management Services, Conditions of Employment (80 Ill Adm Code 303)	8/6/99 23 Ill Reg 8737	10/19/99
11/11/99	Department of Human Services, General Program Provisions (89 Ill Adm Code 676)	8/6/99 23 Ill Reg 8742	10/19/99
11/11/99	Department of Human Services, Subacute Alcoholism and Substance Abuse Treatment Services (77 Ill Adm Code 2090)	8/6/99 23 Ill Reg 8748	10/19/99
11/12/99	Department of Human Rights, Repeal of Department Purchasing Procedures (44 Ill Adm Code 760)	8/13/99 23 Ill Reg 8882	10/19/99
11/12/99	Secretary of State, Issuance of Licenses (92 Ill Adm Code 1030)	8/13/99 23 Ill Reg 8962	10/19/99
11/12/99	Secretary of State, Lobbyist Registration and Reports (2 Ill Adm Code 560)	4/30/99 23 Ill Reg 5235	10/19/99
11/13/99	Illinois Racing Board, Pari-Mutuels (11 Ill Adm Code 300)	7/30/99 23 Ill Reg 8621	10/19/99
11/13/99	Illinois Racing Board, Repeal of Race Track Improvement Fund (11 Ill Adm Code 404)	7/30/99 23 Ill Reg 8625	10/19/99

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

11/13/99	Illinois Racing Board, Race Operators and Their Duties (11 Ill Adm Code 1305)	7/30/99 23 Ill Reg 8631	10/19/99
11/13/99	Illinois Racing Board, Regulations for Meetings (11 Ill Adm Code 1424)	7/30/99 23 Ill Reg 8635	10/19/99
11/13/99	Department of Public Aid, Hospital Services (89 Ill Adm Code 148)	7/16/99 23 Ill Reg 7840	10/19/99
11/13/99	Department of Public Aid, Specialized Health Care Delivery Systems (89 Ill Adm Code 146)	7/16/99 23 Ill Reg 7846	10/19/99
11/14/99	Department of Human Services, Temporary Assistance for Needy Families (89 Ill Adm Code 112)	7/30/99 23 Ill Reg 8579	10/19/99
11/14/99	Department of Human Services, Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113)	7/30/99 23 Ill Reg 8575	10/19/99
11/14/99	Department of Human Services, General Assistance (89 Ill Adm Code 114)	7/30/99 23 Ill Reg 8577	10/19/99

99-361

DANVILLE AREA CHAMBER OF COMMERCE DAY

WHEREAS, the Danville Area Chamber of Commerce works with the business community to advance the civic, economic, industrial, professional and cultural welfare of the City of Danville; and

WHEREAS, the Chamber has contributed to the civic and economic life of East Central Illinois for 100 years since its founding on March 22, 1899; and

WHEREAS, the Chamber and its members provide citizens with a strong business environment that increases employment, the retail trade and commerce, and industrial growth in order to make the City of Danville a better place to live; and

WHEREAS, the Chamber encourages growth of existing industries, merchants and services and encourages new firms and individuals to locate in the City of Danville; and

WHEREAS, the Chamber's "Leadership Danville" program successfully nurtures and equips today's business employees to become tomorrow's area leaders; and WHEREAS, the State of Illinois recognizes the Danville Area Chamber of Commerce and the state's other 300 organizations by proclaiming September 26-October 2, 1999, as "Chamber of Commerce Week" in Illinois; and

WHEREAS, this year marks the 100th anniversary of the Danville Area Chamber of Commerce, a voluntary business organization of nearly 500 area businesses;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 14, 1999, as DANVILLE AREA CHAMBER OF COMMERCE DAY in Illinois.

Issued by the Governor August 27, 1999.

Filed by the Secretary of State September 20, 1999.

99-362

FOOD SAFETY AWARENESS MONTH

WHEREAS, the United States has one of the safest food supplies in the world; and

WHEREAS, safe food handling by employees is emphasized on a continual basis in the retail sector at a tremendous cost to the retailer; and

WHEREAS, such training has gone on for decades; and

WHEREAS, retailers have been at the cutting edge of the development of safe food handling procedures; and

WHEREAS, despite the constant training and evolution of safe food handling procedures, between 6 million and 33 million cases of food-borne illnesses occur each year in the U.S.; and

WHEREAS, the vast majority of these food-borne illnesses occur in the home and might be avoided with appropriate consumer education; and

WHEREAS, the retail sector in Illinois continues to work with the appropriate state and local health agencies to better educate consumers on good food safety procedures, as well as develop even better food handling procedures; and

WHEREAS, September has been designated as National Food Safety Awareness Month; and

WHEREAS, the citizens of Illinois are encouraged to join the Illinois Retail Merchants Association and their members, the Illinois Food Retailers Association and their members, the Illinois Department of Public Health, and Illinois' health departments in recognizing September 1999 as Food Safety

Awareness Month in Illinois;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 1999 as FOOD SAFETY AWARENESS MONTH in Illinois.

Issued by the Governor August 27, 1999.

Filed by the Secretary of State September 20, 1999.

99-363

HUMAN SERVICES WEEK

WHEREAS, a disability, whether physical, mental, or developmental, does not mean the end of a person's productive life; and

WHEREAS, human service organizations are available to assist Illinois citizens achieve productive and fulfilling lives; and

WHEREAS, the many support services within a human service organization provide the assistance necessary to help persons with disabilities achieve self-sufficiency; and

WHEREAS, tens of thousands of dedicated individuals provide a supportive foundation for citizens with disabilities to achieve their goals; and

WHEREAS, during Human Services Week activities, The Illinois Association of Rehabilitation Facilities, Inc. will engage in activities to increase awareness of the general public about programs and services provided by community human service agencies and staff;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 12-18, 1999, as HUMAN SERVICES WEEK in Illinois.

Issued by the Governor August 27, 1999.

Filed by the Secretary of State September 20, 1999.

99-364

ARTS WEEK

WHEREAS, the arts in all forms are treasures that bring joy to everyone; and

WHEREAS, our lives are enriched by the art that surrounds us in everyday environments, the art that is part of our history, and the art of far-away places that we bring into our hearts and minds; and

WHEREAS, the arts in Illinois deserve recognition and support so they may continue to flourish in abundant variety; and

WHEREAS, the Illinois Arts Council and the National Endowment for the Arts are two organizations that play a vital role in bringing the arts to our citizenry; and

WHEREAS, central to that partnership is the shared belief that freedom of artistic expression must remain unfettered by government interference in its content;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 3-9, 1999, as ARTS WEEK in Illinois.

Issued by the Governor September 2, 1999.

Filed by the Secretary of State September 20, 1999.

99-365

JENS JENSEN DAY

WHEREAS, Jens Jensen was born September 13, 1860, in Denmark and emigrated to Chicago in 1886; and

WHEREAS, September 13, 1999, the Danish American Cultural Foundation celebrates the 139th anniversary of his birth; and

WHEREAS, Jens Jensen made a lasting contribution to Illinois culture through his service to Chicago's park system by celebrating the natural beauty of the prairie in his landscape design; and

WHEREAS, he served as Superintendent of Chicago's Union, Garfield, Humboldt and West Park Districts for more than 20 years; and

WHEREAS, as Superintendent of the Chicago West Park District, Jens Jensen designed the elaborate system of wide, tree-shaded boulevards and laid out 35 parklands composing more than 1,000 acres; and

WHEREAS, Mr. Jensen conceived and built the Chicago Landmark Garfield Park Conservatory, and he designed and built Columbus Park which is widely recognized as the finest example of prairie landscape architecture in the United States; and

WHEREAS, during the 60-year span of his career, Mr. Jensen, the Dean of American Landscape Architecture designed in excess of 1,000 municipal and private properties and pioneered environmental consciousness;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 13, 1999, as JENS JENSEN DAY in Illinois.

Issued by the Governor September 2, 1999.

Filed by the Secretary of State September 20, 1999.

99-366

URUGUAY DAY

WHEREAS, August 25th is the 174th Anniversary of the independence of Uruguay, a nation whose goals and objectives of freedom and democracy for its people are similar to those of the United States; and

WHEREAS, these two countries also share a long history of commercial ties, including Uruguay's invaluable assistance to the City of Chicago after its devastating fire in 1871; and

WHEREAS, as a trading partner with this country, Uruguay encourages the development of its resources, the enhancement of its agri-business, and the expansion of its industry to our mutual benefit; and

WHEREAS, Uruguay has been making significant strides to increase and expand its trade and cultural and educational ties with businesses and educational institutions in Illinois;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim August 25, 1999, as URUGUAY DAY in Illinois in celebration of this significant date in its history.

Issued by the Governor September 2, 1999.

Filed by the Secretary of State September 20, 1999.

99-367

COMMUNITY ACTION AWARENESS WEEK

WHEREAS, community action agencies were created as the Economic Opportunity Act of 1964 was signed into law; and

WHEREAS, community action agencies have a 35-year history of promoting self-sufficiency for those with limited income; and

WHEREAS, community action agencies have made an essential contribution to individuals and families in Illinois by promoting them with innovative and

cost-effective programs; and

WHEREAS, community action agencies are needed as major participants in the reform of the welfare system as we know it; and

WHEREAS, welfare reform in Illinois has benefited from the state's partnership with the Illinois Community Action Association and its 41 member agencies; and

WHEREAS, those with limited income continue to need opportunities to improve their lives and their living conditions, thus ensuring that all citizens are able to live in dignity; and

WHEREAS, on September 7-10, the National Association of Community Action Agencies will host its Annual Conference in Chicago, commemorating the 35th anniversary of Community Action; and

WHEREAS, the Illinois Community Action Association will serve as the official state association host to the National Association of Community Action Agencies' Annual Conference;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 7-10, 1999, as COMMUNITY ACTION AWARENESS WEEK in Illinois.

Issued by the Governor September 3, 1999.

Filed by the Secretary of State September 20, 1999.

99-368

DRUG-FREE YOUTH DAYS

WHEREAS, the Illinois Drug Education Alliance (IDEA) is presenting its 17th Annual Drug Prevention Conference, "ALL ABOARD-DESTINATION DRUG FREE," on Sunday, November 21, and Monday, November 22, in Chicago; and

WHEREAS, the Illinois Drug Education Alliance feels strongly that "It is better to build children than to repair men and women"; and

WHEREAS, the Illinois Drug Education Alliance believes prevention offers individuals and communities an opportunity to stop alcohol, tobacco, and other drug problems before they start and provides hope effecting individual and community change to support healthy behaviors; and

WHEREAS, more than 1,100 Illinois young people dedicated to the "Drug-Free" lifestyle will participate in two days of drug prevention education and leadership training. These young people will carry the "Drug-Free" message back to their schools and communities, and become role-models to their peers; and

WHEREAS, educators, parents, volunteers, and other adults will attend and participate in the 17th Annual Illinois Drug Education Alliance Conference. These adults will train, encourage, and support young people in their choice of the "Drug-Free" lifestyle; and

WHEREAS, the Illinois Drug Education Alliance stands firmly with the Illinois Department of Human Services, Division of Community Health and Prevention, and all of its supporting agencies - Office of the Governor, Office of the Lieutenant Governor, Office of the Attorney General, Office of the Secretary of State, Office of the State Treasurer, Illinois Department of Transportation, Division of Traffic Safety, Illinois State Board of Education, Illinois National Guard, Drug Enforcement Administration, U.S. Customs Service, University of Illinois Cooperative Extension Service, Students Against Destructive Decisions, Operation Snowball, Inc., Illinois Elks Association, Alliance Against Intoxicated Motorists and Illinois Principals Association, and with the many other state and national organizations that encourage the

promotion of sound drug prevention programs;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim November 21-22, 1999, as DRUG-FREE YOUTH DAYS in Illinois in recognition of the Illinois Drug Education Alliance and its supporting agencies in bringing a "Drug-Free" message to the youth of our state.

Issued by the Governor September 3, 1999.

Filed by the Secretary of State September 20, 1999.

99-369

HISPANIC ILLINOIS STATE LAW ENFORCEMENT DAY

WHEREAS, the Hispanic Illinois State Law Enforcement Association (HISLEA) is a non-profit organization whose primary objective is to offer support to Hispanic law enforcement officers; and

WHEREAS, HISLEA works closely with other Hispanic organizations to ensure that Hispanics are treated fairly and are considered for top administrative appointments; and

WHEREAS, HISLEA, along with the United States Marine Corps and various other police agencies, supported the Toys for Tots campaign and worked with Mujeres Latina En Accion in Domestic Violence and Child Abuse Awareness training; and

WHEREAS, HISLEA grants scholarships for graduating high school students pursuing a college education in law enforcement;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 17, 1999, as HISPANIC ILLINOIS STATE LAW ENFORCEMENT DAY in Illinois in recognition of the efforts the association has made to advance law enforcement careers and provide service to our citizens.

Issued by the Governor September 3, 1999.

Filed by the Secretary of State September 20, 1999.

99-370

LIONS CANDY DAY

WHEREAS, Lions of Illinois have spearheaded efforts to protect our citizens against the ravages of blindness and deafness for many years; and

WHEREAS, presently, 28,000 Illinois citizens are blind and 106,000 Illinois residents are deaf or hearing-impaired; and

WHEREAS, Lions have expended millions of dollars in recent years for Diabetic Eye Center, low vision clinics and hearing screenings, camping programs, hearing aid and eyeglass collections, and hundreds of other local programs; and

WHEREAS, on Friday, October 8, 1999, Lions are observing Candy Day, their primary fund-raising event of the year;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 8, 1999, as LIONS CANDY DAY in Illinois in recognition and support of the organization's many worthwhile endeavors.

Issued by the Governor September 3, 1999.

Filed by the Secretary of State September 20, 1999.

99-371

MAYOR DALEY'S YOUTHNET PROGRAMS, WALK AGAINST VIOLENCE FOR CHICAGO'S YOUTH DAY

WHEREAS, A Walk Against Violence for Chicago's Youth is a partnership with the Boys & Girls Clubs of Chicago, Mayor Daley's YouthNet Programs, and the Chicago Police Department; and

WHEREAS, Mayor Daley's YouthNet Programs offers innovative and progressive programs which include the District Wide Youth Councils, Mentoring Programs, Health Programs, Police Forums, Leadership Development Workshops, Homework Help and a host of other social programs; and

WHEREAS, Mayor Daley's YouthNet Programs is presenting their 1st Annual Walk Against Violence for Chicago's Youth on September 11, 1999; and

WHEREAS, Mayor Daley's YouthNet Programs 1st Annual Walk Against Violence for Chicago's Youth is expected to draw more than 3,000 students, parents, and community residents from across the Chicagoland area, and more than 50 youth development organizations, businesses, churches, and public school's are expected to participate;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 11, 1999, as MAYOR DALEY'S YOUTHNET PROGRAMS, WALK AGAINST VIOLENCE FOR CHICAGO'S YOUTH DAY in Illinois.

Issued by the Governor September 3, 1999.

Filed by the Secretary of State September 20, 1999.

99-372

CHURCH OF SAINT PATRICK DAY

WHEREAS, St. Patrick's Church originated as St. Andrew's Church in 1849 in a log cabin at Mill Creek Road in Wadsworth, and was renamed St. Patrick's Church in 1864; and

WHEREAS, during its entire history, the Church of St. Patrick has changed to fulfill the needs of the communities and to accept new challenges; and

WHEREAS, St. Patrick's Church continues to be an integral part of community activities molding educational and spiritual lives of many families; and

WHEREAS, 50 years later it continues to serve today a large and caring parish under the leadership of Reverend Patrick G. Cecil; and

WHEREAS, the magnificent parish of the Church of Saint Patrick will be celebrating its Sesquicentennial throughout the year of 1999;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 18, 1999, as the CHURCH OF SAINT PATRICK DAY in Illinois in celebration of their Sesquicentennial throughout the year of 1999.

Issued by the Governor September 7, 1999.

Filed by the Secretary of State September 20, 1999.

99-373

HELP CITIZENS WITH DEVELOPMENTAL DISABILITIES DAYS

WHEREAS, the Illinois State Council of the Knights of Columbus will celebrate and conduct the 30th annual fund drive for their Developmental Disabilities Program. This 30th Anniversary Drive will be held September 17-18 to benefit our citizens with developmental disabilities. Last fall, the Knights of Columbus raised more than \$1.6 million, which was distributed to more than 300 organizations throughout Illinois; and

WHEREAS, the Illinois State Council of the Knights of Columbus has provided funds and personal assistance to allow youngsters to participate in the local and statewide Special Olympics program; and

WHEREAS, the Illinois State Council of the Knights of Columbus has provided more than \$5 million to build or reconstruct 34 homes for citizens with developmental disabilities in all six Diocese in Illinois; and

WHEREAS, since the Illinois State Council of the Knights of Columbus initiated this program, 45 other states have activated similar campaigns to provide needed financial assistance for the developmental disabled; and

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 17-18, 1999, as HELP CITIZENS WITH DEVELOPMENTAL DISABILITIES DAYS in Illinois and commend the Knights of Columbus for its generous efforts.

Issued by the Governor September 7, 1999.

Filed by the Secretary of State September 20, 1999.

99-374

ORDER SONS OF ITALY DAY

WHEREAS, the year 1999 marks the 75th Anniversary of the Grand Lodge of the State of Illinois, Order Sons of Italy in America, having been chartered on September 25, 1924; and

WHEREAS, the Order Sons of Italy in America has grown from humble beginnings into the largest fraternal organization of Americans of Italian descent and further has grown in stature and recognition with many of its members having attained significant positions in commerce, the professions, public service, the arts and humanities; and

WHEREAS, the members of the Order Sons of Italy in America, both nationally and within the State of Illinois, harbor great personal pride in their cultural heritage and have a deep and profound commitment to the furtherance of the aims and ideals of our Order; and

WHEREAS, it is appropriate and fitting that plans be made to observe the 75th Anniversary of the Charter of the Grand Lodge of the State of Illinois;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 24, 1999, as ORDER SONS OF ITALY DAY in Illinois.

Issued by the Governor September 7, 1999.

Filed by the Secretary of State September 20, 1999.

99-375

SHARON WARD DAY

WHEREAS, September 8, 1999, is Sharon Ward's last day in the Bureau of the Budget following a distinguished career dating back to September 1, 1981; and

WHEREAS, Sharon's background at the Tiny Teepee Nursery School and as an elementary school teacher prepared her well for working with nearly two decades of new, young budget analysts; and

WHEREAS, during her years at the Bureau, Sharon moved through the ranks from a secretary to a budget analyst, program specialist and division chief of the Capital Division; and

WHEREAS, Sharon has spent countless hours on capital and member projects and can still serve her family pork for dinner; and

WHEREAS, despite years of long hours, little sleep, low pay and impossible deadlines, Sharon is as pleasant and dedicated to state service as the day she started; and

WHEREAS, all of her friends at the Bureau of the Budget will miss her greatly as she moves to the Board of Higher Education;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 8, 1999, as SHARON WARD DAY in Illinois in honor and recognition of her years of dedicated service to the citizens of this state.
Issued by the Governor September 7, 1999.
Filed by the Secretary of State September 20, 1999.

99-376

AMBASSADORS OF MUSIC DAY

WHEREAS, student musicians from the width and breadth of the State of Illinois will be selected as members of the Illinois Ambassadors of Music and will be involved in a two-and-a-half week tour of Europe in the summer of 2000; and

WHEREAS, students nominated for membership in the Illinois Ambassadors of Music can be proud of their musical excellence and high record of achievement that led to membership in this prestigious group; and

WHEREAS, high school band and chorus students are selected by their high school music directors for the honor of participation based upon their citizenship, character, and musicianship;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 23, 2000, as AMBASSADORS OF MUSIC DAY in Illinois.

Issued by the Governor September 8, 1999.

Filed by the Secretary of State September 20, 1999.

99-377

DONNA AND DALE ARNOLD DAY

WHEREAS, Donna and Dale Arnold have committed their lives to helping others through their caring ways and their desire to be involved in their community; and

WHEREAS, these generous individuals have unselfishly given of themselves to help organizations in the cities of Decatur, Lincoln, Peoria, and throughout the State of Illinois to the benefit of the residents; and

WHEREAS Donna and Dale Arnold have a 45-year history of volunteerism with over 23 organizations; and

WHEREAS, Donna and Dale stand out in society as leaders because of their team approach to community service; and

WHEREAS, Easter Seals Central Illinois will host a Seal of Excellence Tribute for this remarkable couple who will be recognized for their exemplary good works, and proceeds from the event will directly benefit Easter Seal clients with disabilities;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim August 13, 1999, as DONNA AND DALE ARNOLD DAY in Illinois.

Issued by the Governor September 8, 1999.

Filed by the Secretary of State September 20, 1999.

99-378

LONG TERM CARE OMBUDSMAN DAY

WHEREAS, Long Term Care Ombudsmen work daily to uphold their commitment to protect and promote the rights and quality of life for 128,000 Illinois citizens residing in nursing facilities; and

WHEREAS, more than 500 volunteers and staff are involved in the Illinois Department on Aging's Long Term Care Ombudsman Program; and

WHEREAS, ombudsmen regularly visit over 1,300 long term care facilities, offering a helping hand to Illinois' more vulnerable citizenry; and

WHEREAS, ombudsmen also provide assistance with specific resident or family concerns and problems; and

WHEREAS, ombudsmen educate communities about the many issues facing long term care facility residents; and

WHEREAS, we wish to honor the commitment and valuable services of these Long Term Care Ombudsmen across Illinois;

THEREFORE, I, George H. Ryan, as Governor of the State of Illinois, proclaim October 6, 1999, as LONG TERM CARE OMBUDSMAN DAY in Illinois.

Issued by the Governor September 8, 1999.

Filed by the Secretary of State September 20, 1999.

99-379

RESIDENTS' RIGHTS WEEK

WHEREAS, Illinoisans residing in nursing facilities represent our mothers, fathers, grandparents, siblings, and other loved ones; and

WHEREAS, these citizens have lived long, productive lives, adding much to our state and nation; and

WHEREAS, growing older does not alter or limit their rights of citizenship; and

WHEREAS, the Federal Nursing Home Reform Law and the State Nursing Home Care Act preserve the autonomy and dignity of nursing facility residents; and

WHEREAS, the Illinois Department on Aging Long Term Care Ombudsman Program works to protect and promote the rights and quality of life for these residents; and

WHEREAS, we wish to honor the lives and contributions of these Illinois citizens while ensuring they continue to live comfortable and productive lives and continue to receive the full benefits as citizens of the United States and the State of Illinois;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 3-9, 1999, as RESIDENTS' RIGHTS WEEK in Illinois.

Issued by the Governor September 8, 1999.

Filed by the Secretary of State September 20, 1999.

99-380

WOMEN IN CONSTRUCTION WEEK

WHEREAS, this year means the 46th anniversary of the founding of the National Association of Women in Construction (NAWIC); and

WHEREAS, nearly 6,500 members nationwide contribute their expertise to their communities and to the construction industry; and

WHEREAS, NAWIC is dedicated to furthering the education of women in their careers by providing services and programs; and

WHEREAS, young people are encouraged to pursue industry careers in architecture, civil engineering and numerous other fields through scholarships provided by NAWIC;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 5-11, 1999, as WOMEN IN CONSTRUCTION WEEK in Illinois.

Issued by the Governor September 8, 1999.

Filed by the Secretary of State September 20, 1999.

99-381

BLACK CONTRACTORS UNITED DAY

WHEREAS, the Black Contractors United (BCU) was founded in 1974 and incorporated as an Illinois non-profit organization in 1979. BCU is the oldest association of African-American general and sub-contractors construction firms in the nation in general and the Chicago metro-area in particular; and

WHEREAS, Chicago leads the nation in Minority/Women Business Enterprise (M/WBE) development and the city's pre-eminent position in this area has resulted from the leadership of BCU, which has developed pioneering purchasing and employment training programs; and

WHEREAS, BCU works to retain and expand existing businesses, and acts as an advocate for the startup and growth of new general and subcontracting firms;

WHEREAS, BCU works to expand the capacity of African-American contracting firms by providing ongoing technical, professional and informational assistance to their membership; and

WHEREAS, BCU has helped pave the way for unprecedented participation by African-American contractors in massive retail and high-rise building construction and on public works projects; and

WHEREAS, the Black Contractors United will host its 18th annual awards dinner on Friday, October 8, 1999;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 8, 1999, as BLACK CONTRACTORS UNITED DAY in Illinois.

Issued by the Governor September 9, 1999.

Filed by the Secretary of State September 20, 1999.

99-382

CHILDREN'S FILM WEEK

WHEREAS, the 16th annual Chicago International Children's Film Festival (CICFF), will run from October 14-24, 1999; and

WHEREAS, during the past 16 years, the Festival has become the foremost festival of children's films in the United States; and

WHEREAS, Facets Multimedia has received support for the Chicago International Children's Film Festival and other children's programs from American Airlines, Cellular One, Chicago Parent Magazine, Children's Care Foundation, City of Chicago-Department of Cultural Affairs, The Days Inn-Lincoln Park, Gaylord and Dorothy Donnelley Foundation, Lloyd A. Fry Foundation, GATX Corporation, The Harris Foundation, Heller Financial, Illinois Arts Council, The Mayer and Morris Kaplan Family Foundation, The John D. and Catherine T. MacArthur Foundation, Rel-Pro Mecklenburger Foundation, Midwest Graphic Consultants, Inc., Kenneth F. and Harle G. Montgomery Foundation, Sara Lee Foundation, Seabury Foundation, 3M, William Wood Skinner Foundation, Whole Foods Market, WIS-TV, WLS-AM Radio, and WPWR-TV Channel 50 Foundation; and

WHEREAS, receiving some 350 entries from more than 30 countries, the Chicago International Children's Film Festival invites over 100 celebrities and filmmakers from around the globe to the Festival each year. Many of these honored guests, as part of the Festival, will lead workshops for the children

which range from question and answer sessions, to hands-on workshops where the children learn about an aspect of filmmaking or animation;

THEREFORE, I, George H. Ryan, Governor of Illinois, proclaim October 14-24, 1999, as CHILDREN'S FILM WEEK in Illinois.

Issued by the Governor September 9, 1999.

Filed by the Secretary of State September 20, 1999.

99-383

25TH ANNIVERSARY OF THE OFFICE OF CITIZEN'S SERVICES, VILLAGE OF EVERGREEN PARK DAY

WHEREAS, in 1974 a community survey recognized the need for the Village of Evergreen Park to establish services specifically for seniors; and

WHEREAS, Mayor Anthony Vacco and the Village Trustees responded to the survey by establishing a Village Department, the "Office of Citizen's Services," on September 3, 1974, to address the needs of the Village of Evergreen Park Seniors; and

WHEREAS, the Department subsequently developed volunteer opportunities, information and referral services, bimonthly newsletters, fundraising projects, and purchased and operated a mini-bus for seniors and disabled adults; and

WHEREAS, the Department further evolved to continue to maintain a focus on seniors and to expand services to address the needs of all Village residents;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 3, 1999, as the 25th ANNIVERSARY OF THE OFFICE OF CITIZEN'S SERVICES, VILLAGE OF EVERGREEN PARK DAY in Illinois.

Issued by the Governor September 10, 1999.

Filed by the Secretary of State September 20, 1999.

99-384

AMERICAN BUSINESS WOMEN'S ASSOCIATION DAY

WHEREAS, the American Business Women's Association was formed in 1949 in Kansas City, Missouri, by a small group of dedicated working women; and

WHEREAS, the American Business Women's Association has grown to include 70,000 members and 1,500 chapters; and

WHEREAS, the American Business Women's Association is recognized for its commitment to learning as well as personal and professional growth; and

WHEREAS, through its support educational endeavors, the American Business Women's Association has awarded more than \$12 million in scholarships; and

WHEREAS, the American Business Women's Association is dedicated to expanding a network of long-term, lasting relationships; and

WHEREAS, the members of this organization provide resources and services to each other in order to achieve success and financial security; and

WHEREAS, the dedication and commitment of American Business Women's Association members has propelled the organization's reputation to be known as being able to truly change women's lives; and

WHEREAS, on September 22, 1999, the American Business Women's Association will celebrate its 50th Anniversary in Beach Park, Illinois;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 22, 1999, as AMERICAN BUSINESS WOMEN'S ASSOCIATION DAY in Illinois.
 Issued by the Governor September 10, 1999.
 Filed by the Secretary of State September 20, 1999.

99-385

FIRST CONGREGATIONAL CHURCH OF STEGER DAY

WHEREAS, since 1899, the First Congregational Church of Steger has proclaimed the Word of God; and
 WHEREAS, the First Congregational Church of Steger has been a positive and moral influence on the community; and
 WHEREAS, the Church has participated in the betterment of the community; and
 WHEREAS, the Church commits itself to the continual support and spiritual influence of our community; and
 WHEREAS, the Church will continue to minister to the spiritual needs of its people into its second century;
 THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 25, 1999, as FIRST CONGREGATIONAL CHURCH OF STEGER DAY in Illinois.
 Issued by the Governor September 10, 1999.
 Filed by the Secretary of State September 20, 1999.

99-386

ILLINOIS ASSOCIATION FOR HOME AND COMMUNITY EDUCATION WEEK

WHEREAS, the Illinois Association for Home and Community Education represents 18,482 members in Illinois and has provided opportunities in Illinois for 75 years; and
 WHEREAS, the Association's 1999-2000 theme is "Families Move into the 21st Century"; and
 WHEREAS, the purpose of the Illinois Association for Home and Community Education is to improve the quality of families through education;
 THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 10-16, 1999, as ILLINOIS ASSOCIATION FOR HOME AND COMMUNITY EDUCATION WEEK in Illinois.
 Issued by the Governor September 10, 1999.
 Filed by the Secretary of State September 20, 1999.

99-387

MIKE YAGER DAY

WHEREAS, Mike Yager founded Mid American Designs, Inc. of Effingham in 1974 to meet the needs of Corvette enthusiasts who wished to maintain, customize or enhance the performance of their automobiles; and
 WHEREAS, Mike Yager has been actively involved in Corvette events throughout the region and has served as Governor of the Regional National Council of Corvette Clubs; and
 WHEREAS, for his genuine interest in helping young people who are involved in automotive engineering, Mike has endowed a scholarship in the name of Zora Arkus-Duntov; and
 WHEREAS, in his willingness to share his hobby and his profession with both

seasoned and future enthusiasts, Mike has opened his research and development facility to the public; and

WHEREAS, in the spirit of volunteerism, Mike has genuinely and selflessly given his time and energy to the Effingham area, paying special attention to the needs of young people; and

WHEREAS, Mid America Designs Inc. - the world's largest supplier of Corvette parts and accessories - is recognized as the global leader in Corvette entertainment; and

WHEREAS, Mid America Designs, Inc. will celebrate its silver anniversary on September 18-19, 1999;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 18, 1999, as MIKE YAGER DAY in Illinois.

Issued by the Governor September 10, 1999.

Filed by the Secretary of State September 20, 1999.

99-388

PRIMARY CARE WEEK

WHEREAS, the American Medical Student Association (AMSA), a 50-year-old independent organization, represents nearly 30,000 physicians-in-training at 150 allopathic and osteopathic medical schools; and

WHEREAS, the AMSA Foundation manages the American Medical Student Association's community outreach, research, and innovative educational programming; and

WHEREAS, AMSA seeks to introduce medical and other health profession students to the importance of community-responsive primary care and to encourage their collaboration as members of future health care teams; and

WHEREAS, primary care physicians play a vital role in modern medicine; and

WHEREAS, the American Medical Student Association will celebrate the first annual "Primary Care Week" September 27-October 1, 1999, with Illinois medical students sponsoring events throughout the state which highlight the impact of primary care in the community;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 27-October 1, 1999, as PRIMARY CARE WEEK in Illinois.

Issued by the Governor September 10, 1999.

Filed by the Secretary of State September 20, 1999.

99-389

UNION BAPTIST CHURCH DAY

WHEREAS, in Quincy, Illinois, in 1874, a dedicated group of members left the Eighth and Elm Streets Baptist Church searching for a place to worship and located a place at Fourth and Lind Street in Merrick's Hall; and

WHEREAS, on April 9, 1874, at a regular called meeting they stated their desire to be declared an organized Baptist Church to Brother John W. Wall, the Missionary of the Wood River Association; and

WHEREAS, Rev. J.W. Muse, the first pastor, desired to organize the church. Since then the church has been blessed with many wonderful servants of God; and

WHEREAS, The Cornerstone, which was put in place at the southeast corner of the foundation walls, was donated to the congregation by F.W. Menke and Company bearing the inscription "Union Baptist Church" -Erected A.D. 1913 - Wm. M. Bates, Pastor; and

WHEREAS, this being the 125th anniversary of the Union Baptist Church; THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 19, 1999, as UNION BAPTIST CHURCH DAY in Illinois commemorating their 125th anniversary in Quincy.

Issued by the Governor September 10, 1999.

Filed by the Secretary of State September 20, 1999.

99-390

5-A-DAY "GET FIT WITH 5" WEEK

WHEREAS, the prevention of cancer and heart disease are two of the most urgent health challenges of our day, with heart disease being the leading cause of death in Illinois; and

WHEREAS, the Illinois Department of Human Services and the Illinois Department of Public Health recommend that people should reduce their intake of fats and increase their consumption of high fiber foods, such as fruits and vegetables, to help reduce the risk of cancer and heart disease; and

WHEREAS, only 21 percent of Illinoisans eat five fruits and vegetables a day and only 33 percent of Illinoisans get the recommended 30 minutes of physical activity a day; and

WHEREAS, the National Cancer Institute has launched the 5-A-Day for Better Health national disease prevention and health promotion program; and

WHEREAS, the Illinois Department of Human Services and the Illinois Department of Public Health support the 5-A-Day goal;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 12-18, 1999, as 5-A-DAY "GET FIT WITH 5" WEEK in Illinois.

Issued by the Governor September 14, 1999.

Filed by the Secretary of State September 20, 1999.

99-391

CHAMBER OF COMMERCE WEEK

WHEREAS, chambers of commerce work with Illinois businesses, merchants, and industry to advance the civic, economic, industrial, professional, and cultural life of our state; and

WHEREAS, chambers of commerce have contributed to the civic and economic life of Illinois for 161 years, since the Galena Chamber of Commerce was founded in 1838; and

WHEREAS, this year marks the 80th anniversary of the founding of the Illinois State Chamber of Commerce, the state's leading broad-based business organization; and

WHEREAS, chambers of commerce encourage the growth of existing industries, services, and commercial firms and encourage new businesses and individuals to locate in Illinois, acting as a liaison with the State of Illinois, local governments, schools, and the business community; and

WHEREAS, this year marks the 84th anniversary of the Illinois Association of Chamber of Commerce Executives, a career development organization for chamber of commerce professionals; and

WHEREAS, Illinois is the home to international chambers of commerce, the Midwestern Service Center of the U.S. Chamber of Commerce, the Illinois State Chamber of Commerce, and more than 350 local chambers of commerce;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim

September 26-October 2, 1999, as CHAMBER OF COMMERCE WEEK in Illinois.

Issued by the Governor September 14, 1999.

Filed by the Secretary of State September 20, 1999.

99-392

GEORGE WASHINGTON DAY

WHEREAS, George Washington was born on February 22, 1732, in Westmoreland County, Virginia, and spent his boyhood years near Fredericksburg, Virginia, at Ferry Farm; and

WHEREAS, George Washington became leader in the Virginia militia in 1753 and bravely served in the Ohio Valley campaign during the French and Indian War; and

WHEREAS, George Washington took command of a small rag-tag army of farmer and merchant patriots and, with skill and perseverance, led it to victory over a mighty empire, thus securing American Independence; and

WHEREAS, George Washington's dignity and abilities led to his appointment to preside over the Convention of 1787 that produced our nation's Constitution and to his election as the first President of the United States; and

WHEREAS, George Washington's character traits including courage, diligence, honesty and faith in God inspired Thomas Jefferson to write "that never did nature and fortune combine more perfectly to make a man great"; and

WHEREAS, George Washington reminded the nation in his farewell address that "of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports"; and

WHEREAS, George Washington died 200 years ago at Mount Vernon on December 14, 1799, and was acclaimed then, as he is now, as "first in war, first in peace, and first in the heart of his countryman";

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim December 14, 1999, as GEORGE WASHINGTON DAY in Illinois.

Issued by the Governor September 14, 1999.

Filed by the Secretary of State September 20, 1999.

99-393

GERMAN-AMERICAN DAY

WHEREAS, the first German immigrants arrived in the United States in October 1683; and

WHEREAS, today more than 60 million Americans trace at least a part of their ancestry to Germany and German-Americans account for one of the largest ethnic groups in our state; and

WHEREAS, the United German-American Societies of Greater Chicago are sponsoring a number of festivities to celebrate Illinois' German-American heritage, including the 34th annual General Von Stueben Parade September 11 and the annual German-American Fest September 10-12; and

WHEREAS, Eric Himmel, President of the United German-American Societies of Greater Chicago is the Parade Grand Marshal, and Consul General of the Federal Republic of Germany, Dr. Michael Engelhard, is the Honorary Grand Marshal; and

WHEREAS, German-Americans contributed greatly to the State of Illinois in all areas including arts, business, science, medicine, law, government, education and public services;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim

October 6, 1999, as GERMAN-AMERICAN DAY in Illinois.
 Issued by the Governor September 14, 1999.
 Filed by the Secretary of State September 20, 1999.

99-394

JOINT CIVIC ITALIAN AMERICAN COMMITTEE DAY

WHEREAS, Christopher Columbus and other distinguished Italians have played a significant role in the growth of American civilization; and
 WHEREAS, the Italian American community has preserved and proudly shared their rich culture, heritage and talents with our state and its citizens; and
 WHEREAS, Italian Americans have contributed greatly to Illinois in all areas of life including education, business, science, medicine, arts, sport, entertainment, and government; and

WHEREAS, the Joint Civic Committee of Italian Americans, founded in 1950, is an umbrella organization for more than 75 organizations dedicated to charitable causes and promoting Italian heritage and culture; and

WHEREAS, Joseph M. Gagliardo, President of the Joint Civic Italian American Committee, announces the annual 47th Christopher Columbus Day Parade will be held October 11, 1999, in Chicago; and

WHEREAS, Anthony Falduto and Paul Butera are the co-chairmen of Christopher Columbus Day Parade; and

WHEREAS, Oscar D'Angelo, who is commended for his many years of dedication and commitment to the Italian American community, will precede the 1999 Christopher Columbus Day Parade as Grand Marshal;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 11, 1999, as JOINT CIVIC ITALIAN AMERICAN COMMITTEE DAY in Illinois.

Issued by the Governor September 14, 1999.

Filed by the Secretary of State September 20, 1999.

99-395

MEIGS FIELD DAY

WHEREAS, Meigs Field is a single-runway airport located adjacent to the downtown business district of Chicago, making it popular for general aviation and commuter flights arriving directly into the city's center; and

WHEREAS, on December 10, 1948, the airport was officially opened to traffic and within seven years became the busiest single-strip airfield in the country; and

WHEREAS, in 1949, by action of City Council, the airstrip was officially renamed Merrill C. Meigs Field, in honor of the great Chicago pioneer pilot and former Chairman of the Chicago Aero Commission; and

WHEREAS, September 19, 1999, the airport will celebrate its 50th Anniversary with the Fourth Annual Meigs Field Open House at Chicago's lakefront; and

WHEREAS, nearly 3,000 guests are expected to attend the event, which will feature exciting flybys, antique aircraft, warbirds, rides and exhibits;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 19, 1999, as MEIGS FIELD DAY in Illinois.

Issued by the Governor September 14, 1999.

Filed by the Secretary of State September 20, 1999.

99-396

PAYROLL WEEK

WHEREAS, payroll professionals in Illinois play a key role in maintaining the state's economic health by carrying out such diverse tasks as paying into the unemployment insurance system, providing information for child support enforcement, and withholding, reporting, and depositing taxes; and

WHEREAS, the American Payroll Association and its 14,000 members have launched a nationwide public awareness campaign that pays tribute to over 125 million people who work in the United States; and

WHEREAS, the campaign also pays tribute to the payroll professionals who support the American system by paying wages, reporting worker earnings, and withholding state and federal employment taxes; and

WHEREAS, payroll departments collectively spend more than \$15 billion annually complying with a myriad of federal and state wage tax laws; and

WHEREAS, payroll professionals play an increasingly important role ensuring the economical security of American families by helping to identify non-custodial parents to make sure they comply with their child support mandates; and

WHEREAS, payroll professionals have become proactive in educating both the business community and the public about the payroll tax withholding system to pay for civic projects such as roads, schools and parks; and

WHEREAS, the theme of Payroll Week is "Working for America" in an effort to help the public become aware of the importance of payroll professionals across Illinois;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 13-17, 1999, as PAYROLL WEEK in Illinois.

Issued by the Governor September 14, 1999.

Filed by the Secretary of State September 20, 1999.

99-397

114TH ILLINOIS VOLUNTEER REGIMENT DAY

WHEREAS, there is a definite need for the overt and active expression of sincere patriotism and responsibility; and

WHEREAS, the State of Illinois has had a glorious history of devoted patriotism exemplified by its many proud regiments of volunteers who struggled for the preservation, freedom and honor of their State and Union in the Civil War; and

WHEREAS, one of the bravest units that fought under General U.S. Grant and General W.T. Sherman was the 114th Infantry Regiment, Illinois Volunteers; and
 WHEREAS, this historic Regiment represents a noble heritage passed on by those Illinois men who, more than a century ago, fought for their beliefs and traditions as free men; and

WHEREAS, Saturday, September 18, 1999, we will be celebrating the 30th anniversary of the remustering and reactivation of the 114th Infantry Regiment;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 18, 1999, as 114TH ILLINOIS VOLUNTEER REGIMENT DAY in Illinois.

Issued by the Governor September 15, 1999.

Filed by the Secretary of State September 20, 1999.

99-398

HUNTING AND FISHING DAY

WHEREAS, conserving Illinois' natural and wildlife resources is one of the most important responsibilities we have to this and future generations; and WHEREAS, hunters and anglers were among the first to realize this responsibility nearly 100 years ago when they saw firsthand how unregulated exploitation had caused disastrous declines in wildlife populations; and WHEREAS, they also suggested and supported laws to establish special hunting and fishing license fees and special taxes on their equipment to pay for resource conservation programs; and

WHEREAS, hunters and anglers have contributed more than \$21 billion for conservation through fees and taxes as well as through private contributions of time, labor and money; and

WHEREAS, the resource conservation programs supported and financed by Illinois hunters and anglers have benefited hundreds of wildlife species including deer, wild turkeys, otters, bald eagles and songbirds for the people of Illinois to enjoy;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 25, 1999, as HUNTING AND FISHING DAY in Illinois.

Issued by the Governor September 15, 1999.

Filed by the Secretary of State September 20, 1999.

99-399

NORTHEASTERN ILLINOIS UNIVERSITY DAY

WHEREAS, Northeastern Illinois University is officially opening the new Fine Arts Center today; and

WHEREAS, Northeastern Illinois University has always been a special place for artists - aspiring and professional - to encourage and nurture their gift; and

WHEREAS, with the opening of the Fine Arts Center, the department of Art, Music, and Speech and Performing Arts now have a facility worthy of their high quality academic programs; and

WHEREAS, the 1999-2000 season, Discover Northeastern: Celebration of the Arts, commemorates the excellence in the learning, performance, and exhibition of the arts at Northeastern Illinois University;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 16, 1999, as NORTHEASTERN ILLINOIS UNIVERSITY DAY in Illinois.

Issued by the Governor September 15, 1999.

Filed by the Secretary of State September 20, 1999.

99-400

ADULT DAY SERVICE WEEK

WHEREAS, adult day service centers in Herrin, Illinois, are providing professional and compassionate service for all adults; and

WHEREAS, through this service, workers enable functionally and cognitively impaired adults to receive needed care and services in a community setting; and WHEREAS, adult day centers provide a coordinated program of services including restorative and functional maintenance rehabilitation, skilled and preventative care and individual and group activities; and

WHEREAS, adult day centers offer participants an opportunity for enriching education, therapeutic and social experiences outside the home; and

WHEREAS, these centers provide much needed assistance and counseling for

caregivers and involved others; and

WHEREAS, Williamson County Programs on Aging and the National Adult Day Services Association have designated September 19-25, 1999, as Adult Day Services Week;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 19-25, 1999, as ADULT DAY SERVICE WEEK in Illinois.

Issued by the Governor September 16, 1999.

Filed by the Secretary of State September 20, 1999.

99-401

HISPANIC MENTAL HEALTH WEEK

WHEREAS, more than 40 million Americans of all ages, races and ethnic groups suffer from mental health problems; and

WHEREAS, mental illness is often perceived as a social stigma in the Hispanic community, and it is of the utmost importance to increase public awareness and understanding of mental wellness; and

WHEREAS, the Latino Family Institute and Latin International Network of Mental Health have forged partnerships with the Illinois Department of Human Services, the Chicago Department of Public Health and other agencies, organizations and institutions at an international level to provide mental, emotional disorder screenings, lectures, consumer information and symposiums;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 4-10, 1999, as HISPANIC MENTAL HEALTH WEEK in Illinois.

Issued by the Governor September 16, 1999.

Filed by the Secretary of State September 20, 1999.

99-402

PHARMACY WEEK

WHEREAS, pharmacy is one of the oldest of the health professions concerned with the health and well-being of all people; and

WHEREAS, today, there are over 195,000 pharmacies practicing in the United States providing services to assure the rational and safe use of all medications; and

WHEREAS, the use of medication, as a cost-effective alternative to more expensive medical procedures, is becoming a major force in moderating overall health care costs; and

WHEREAS, today's powerful medications require greater attention to the manner in which they are used by different patients population groups -- both clinically and demographically; and

WHEREAS, it is important that all users of prescription and nonprescription medications, or their caregivers, be knowledgeable about and share responsibility for their own drug therapy; and

WHEREAS, the American Pharmaceutical Association and the Joint Commission of Pharmacy Practitioners have declared the final and complete week of October as National Pharmacy Week with the theme "Educate Before You Medicate -- Talk With Your Pharmacist";

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 24-30, 1999, as PHARMACY WEEK in Illinois.

Issued by the Governor September 16, 1999.

Filed by the Secretary of State September 20, 1999.

99-403

POLISH AMERICAN HERITAGE MONTH

WHEREAS, Polish immigrants sought freedom, democracy, and a better way of life in America and brought with them cherished national customs, their love of closely-knit family life, and their love for their adopted country; and

WHEREAS, October is a national observance focusing on the many contributions of Polish Americans to the field of science, medicine, business, law, industry, public service, education, and the arts; and

WHEREAS, in October, we join Americans of Polish descent to celebrate their priceless heritage of humanitarianism tolerance, and democracy; and

WHEREAS, many Polish American organizations will sponsor events honoring Polish Heritage Month including the Alliance of Polish Clubs, the Polish Museum of America and the Council of Educators in Polonia; and

WHEREAS, the Polish American Congress will sponsor several events including the Annual Heritage Awards Banquet with special guest Prime Minister Jerzy Buzek of the Republic of Poland; and

WHEREAS, the Governor's Office of Ethnic Affairs will sponsor an exhibit at the James R. Thompson Center commemorating the 150th anniversary of the death of the great Polish composer Fryderyk Chopin;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 1999 as POLISH AMERICAN HERITAGE MONTH in Illinois.

Issued by the Governor September 16, 1999.

Filed by the Secretary of State September 20, 1999.

Rules acted upon during the calendar quarter from Issue 30 through Issue 42 are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 2500 published in Issue 1 will be listed as 50-2500-1. The letter "R" designates a rule that is being repealed. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or jnatale@ccgate.sos.state.il.us (Internet address).

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*Joint Committee on Administrative Rules

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				140.810 n	(P-13621/98; A-3059)

Title 14 (cont'd)

140.1150	n	(P-1362/98; A-3059)	II.C	am	(P-6583; A-11387)
140.1152	n	(P-1362/98; A-3059)	II.D	am	(P-6583; A-11387)
140.2110	am	(P-1362/98; A-3059)	200.Ap.C		
140.2130	am	(P-1362/98; A-3059)	II.A	am	(P-6583; A-11387)
200.100	am	(P-6583; A-11387)	II.B	am	(P-6583; A-11387)
200.101	r	(P-6583; A-11387)	II.C	am	(P-6583; A-11387)
200.104	am	(P-6583; A-11387)	200.Ap.D		
200.110	am	(P-6583; A-11387)	II.A	am	(P-6583; A-11387)
200.112	am	(P-6583; A-11387)	II.C	am	(P-6583; A-11387)
200.114	am	(P-6583; A-11387)	200.Ap.E		
200.115	am	(P-6583; A-11387)	200.Ap.F		
200.116	n	(P-6583; A-11387)	II.A	am	(P-6583; A-11387)
200.117	n	(P-6583; A-11387)	II.B	am	(P-6583; A-11387)
200.118	n	(P-6583; A-11387)	527.10	n	(P-10615) (E-10862)
200.119	n	(P-6583; A-11387)	527.20	n	(P-10615) (E-10862)
200.120	n	(P-6583; A-11387)	527.30	n	(P-10615) (E-10862)
200.201	am	(P-6583; A-11387)	527.40	n	(P-10615) (E-10862)
200.202	am	(P-6583; A-11387)	527.50	n	(P-10615) (E-10862)
200.301	am	(P-6583; A-11387)	527.60	n	(P-10615) (E-10862)
200.304	am	(P-6583; A-11387)	527.70	n	(P-10615) (E-10862)
200.305	r	(P-6583; A-11387)	527.80	n	(P-10615) (E-10862)
200.306	n	(P-6583; A-11387)	527.90	n	(P-10615) (E-10862)
200.402	am	(P-6583; A-11387)	527.100	n	(P-10615) (E-10862)
200.407	am	(P-6583; A-11387)	527.110	n	(P-10615) (E-10862)
200.408	am	(P-6583; A-11387)			
200.409	am	(P-6583; A-11387)			
200.411	am	(P-6583; A-11387)			
200.500	am	(P-6583; A-11387)			
200.502	am	(P-6583; A-11387)			
200.503	am	(P-6583; A-11387)			
200.507	am	(P-6583; A-11387)			
200.600	am	(P-6583; A-11387)			
200.602	r	(P-6583; A-11387)			
200.603	am	(P-6583; A-11387)			
200.604	am	(P-6583; A-11387)			
200.605	am	(P-6583; A-11387)			
200.610	n	(P-6583; A-11387)			
200.800	r	(P-6583; A-11387)			
200.900	am	(P-6583; A-11387)			
200.Ap.A			180.Ex.A	r	(P-12079)
II.A	am	(P-6583; A-11387)	180.Ex.B	r	(P-12079)
II.C	am	(P-6583; A-11387)	525.10	am	(P-15158/98; A-3406)
II.D	am	(P-6583; A-11387)	525.20	am	(P-15158/98; A-3406)
II.E	am	(P-6583; A-11387)	525.30	am	(P-15158/98; A-3406)
II.F	am	(P-6583; A-11387)	525.40	am	(P-15158/98; A-3406)
II.G	am	(P-6583; A-11387)	525.Ex.A	am	(P-15158/98; A-3406)
II.H	am	(P-6583; A-11387)	530.70	am	(P-4617; A-9012)
II.L	am	(P-6583; A-11387)	530.80	am	(P-4617; A-9012)
II.M	am	(P-6583; A-11387)	530.90	am	(P-4617; A-9012)
II.N	am	(P-6583; A-11387)	530.100	am	(P-4617; A-9012)
200.Ap.B			530.105	am	(P-4617; A-9012)
II.B	am	(P-6583; A-11387)	530.110	am	(P-4617; A-9012)

Title 17 (cont'd)

530.115	am	(P-4617; A-9012)			1523.20	n	(P-6202; A-11178)
550.30	am	(P-4671; A-9066)			1523.30	n	(P-6202; A-11178)
570.40	am	(P-4660; A-9055)			1523.40	n	(P-6202; A-11178)
590.10	am	(E-3092) (P-5986; A-11195)			1523.50	n	(P-6202; A-11178)
590.20	am	(P-5986; A-11195)			1523.60	n	(P-6202; A-11178)
590.40	am	(P-5986; A-11195)			1523.70	n	(P-6202; A-11178)
590.50	am	(P-5986; A-11195)			1523.80	n	(P-6202; A-11178)
590.60	am	(P-5986; A-11195)			1523.90	n	(P-6202; A-11178)
590.80	am	(E-3092) (P-5986; A-11195)			1523.100	n	(P-6202; A-11178)
650.20	am	(P-22160/98; A-5564)			1523.120	n	(P-6202; A-11178)
650.21	am	(P-22160/98; A-5564)			1523.130	n	(P-6202; A-11178)
650.22	am	(P-22160/98; A-5564)			1523.140	n	(P-6202; A-11178)
650.60	am	(P-22160/98; A-5564)			1523.150	n	(P-6202; A-11178)
650.65	am	(P-22160/98; A-5564)			1523.160	n	(P-6202; A-11178)
660.60	am	(P-22171/98; A-5579)			1523.170	n	(P-6202; A-11178)
670.10	am	(P-833)			1523.180	n	(P-6202; A-11178)
670.20	am	(P-833; A-6829)			2030.20	am	(P-3299; A-6822)
670.21	am	(P-833; A-6829)			2030.50	am	(P-3299; A-6822)
670.40	am	(P-833; A-6829)			2080.60	am	(P-4667; A-9062)
670.60	am	(P-833; A-6829)			2080.70	am	(P-4667; A-9062)
690.30	am	(P-4679; A-9074)			2520.60	n	(P-3242; A-6818)
710.10	am	(P-7417; A-11956)			3025.30	am	(P-3910; A-8398)
710.20	am	(P-7417; A-11956)			3025.50	am	(P-3910; A-8398)
710.22	am	(P-7417; A-11956)			3025.70	am	(P-3910; A-8398)
710.30	am	(P-7417; A-11956)			3045.10	am	(P-1729/98; A-314)
710.50	am	(P-7417; A-11956)			3045.20	n	(P-1729/98; A-314)
715.10	am	(P-4696; A-9091)			3045.30	n	(P-1729/98; A-314)
720.10	am	(P-4687; A-9082)			3045.40	n	(P-1729/98; A-314)
720.20	am	(P-4687; A-9082)			3045.50	n	(P-1729/98; A-314)
720.30	am	(P-4687; A-9082)			3045.60	n	(P-1729/98; A-314)
720.40	am	(P-4687; A-9082)			3045.70	n	(P-1729/98; A-314)
730.20	am	(P-4648; A-9043)			3045.80	n	(P-1729/98; A-314)
740.20	am	(P-4638; A-9033)			3045.90	n	(P-1729/98; A-314)
750.10	am	(P-3899; A-8387)					
750.20	am	(P-3899; A-8387)					
810.37	am	(P-20443/98; A-3434)					
810.45	am	(P-20443/98; A-3434)					
810.70	am	(P-20443/98; A-3434)					
810.90	am	(P-20443/98; A-3434) (P-3918; A-8406) (E-7317)					
950.40	am	(P-3904; A-8392)					
950.50	r	(P-3904; A-8392)					
1010.30	am	(P-17283/98; A-5556)					
1515.10	n	(P-17436/98; A-3396)					
1515.20	n	(P-17436/98; A-3396)					
1515.30	n	(P-17436/98; A-3396)					
1515.40	n	(P-17436/98; A-3396)					
1515.50	n	(P-17436/98; A-3396)					
1515.60	n	(P-17436/98; A-3396)					
1515.Ex.A	n	(P-17436/98; A-3396)					
1523.10	n	(P-6202; A-11178)					

TITLE 20

106.10	am	(P-16118/98; A-5679)
106.12	n	(P-16118/98; A-5679)
106.15	n	(P-16118/98; A-5679)
106.20	am	(P-16118/98; A-5679)
117.05	n	(P-4339)
117.10	n	(P-4339)
117.15	n	(P-4339)
117.20	n	(P-4339)
117.30	n	(P-4339)
117.40	n	(P-4339)
117.50	n	(P-4339)
117.60	n	(P-4339)
117.70	n	(P-4339)
455.10	am	(P-16122/98; W-4560)
455.15	n	(P-16122/98; W-4560)
455.20	am	(P-16122/98; W-4560)

[illegible]

Title 23 (cont'd)

226.530	r	(P-10617)
	n	(P-10693)
226.532	r	(P-10617)
226.535	r	(P-10617)
226.538	r	(P-10617)
226.540	r	(P-10617)
	n	(P-10693)
226.545	r	(P-10617)
226.548	r	(P-10617)
226.550	r	(P-10617)
	n	(P-10693)
226.552	r	(P-10617)
226.555	r	(P-10617)
226.558	r	(P-10617)
226.560	r	(P-10617)
	n	(P-10693)
226.562	r	(P-10617)
226.564	r	(P-10617)
226.566	r	(P-10617)
226.568	r	(P-10617)
226.570	r	(P-10617)
	n	(P-10693)
226.572	r	(P-10617)
226.575	r	(P-10617)
226.578	r	(P-10617)
226.580	r	(P-10617)
226.585	r	(P-10617)
226.590	r	(P-10617)
226.595	r	(P-10617)
226.600	n	(P-10693)
226.605	r	(P-10617)
226.610	r	(P-10617)
	n	(P-10693)
226.612	r	(P-10617)
226.615	r	(P-10617)
	n	(P-10693)
226.620	r	(P-10617)
	n	(P-10693)
226.625	r	(P-10617)
	n	(P-10693)
226.630	r	(P-10617)
	n	(P-10693)
226.631	r	(P-10617)
226.632	r	(P-10617)
226.633	r	(P-10617)
226.635	r	(P-10617)
	n	(P-10693)
226.636	r	(P-10617)
226.640	r	(P-10617)
	n	(P-10693)

Title 23 (cont'd)

226.860	r	(P-10617)
226.870	r	(P-10617)
226.880	r	(P-10617)
226.890	r	(P-10617)
226.910	r	(P-10617)
226.920	r	(P-10617)
226.930	r	(P-10617)
226.935	r	(P-10617)
226.938	r	(P-10617)
226.940	r	(P-10617)
226.950	r	(P-10617)
226.960	r	(P-10617)
226.1010	r	(P-10617)
226.1020	r	(P-10617)
226.1030	r	(P-10617)
226.1040	r	(P-10617)
226.1050	r	(P-10617)
226.1110	r	(P-10617)
226.1112	r	(P-10617)
226.1115	r	(P-10617)
226.1120	r	(P-10617)
226.1125	r	(P-10617)
226.1130	r	(P-10617)
226.1135	r	(P-10617)
226.1140	r	(P-10617)
226.1145	r	(P-10617)
226.1150	r	(P-10617)
226.1155	r	(P-10617)
226.1010	r	(P-10617)
226.1160	r	(P-10617)
226.1170	r	(P-10617)
226.1175	r	(P-10617)
226.1180	r	(P-10617)
226.1190	r	(P-10617)
226.1195	r	(P-10617)
260.30	am	(P-1465; 7083)
260.50	am	(P-1465; 7083)
260.55	n	(P-1465; 7083)
260.70	am	(P-1465; 7083)
375.10	am	(P-5385)
375.40	am	(P-5385)
375.70	am	(P-5385)
375.75	am	(P-5385)
425.5	am	(P-7351)
425.10	am	(P-7351)
425.20	am	(P-7351)
425.30	am	(P-7351)
575.300	am	(P-2837; A-8370)
575.400	am	(P-2837; A-8370)
575.500	am	(P-2837; A-8370)
575.600	am	(P-2837; A-8370)

575.700	am	(P-2837; A-8370)
1001.10	n	(P-11801; E-11982)
1001.20	n	(P-11801; E-11982)
1001.30	n	(P-11801; E-11982)
1001.40	n	(P-11801; E-11982)
1001.50	n	(P-11801; E-11982)
1038.10	n	(P-19151/98; A-2747)
	am	(P-11803)
1038.20	n	(P-19151/98; A-2747)
	am	(P-11803)
1038.30	am	(P-19151/98; A-2747)
	am	(P-11803)
1038.40	n	(P-19151/98; A-2747)
	am	(P-11803)
1038.50	n	(P-19151/98; A-2747)
	am	(P-11803)
1038.60	n	(P-19151/98; A-2747)
	am	(P-11803)
1038.70	n	(P-19151/98; A-2747)
	am	(P-11803)
1050.10	am	(P-7190)
1050.20	am	(P-7190)
1050.30	am	(P-7190)
1050.40	am	(P-7190)
1501.201	am	(P-13)
1501.309	am	(P-13)
1501.505	am	(P-13)
1501.510	am	(P-13)
1501.603	am	(P-13)
2310.80	am	(P-5635; E-3877)
2700.20	am	(P-1546; A-7550)
2700.30	am	(P-1546; A-7550)
2700.50	am	(P-1546; A-7550)
2700.60	am	(P-1546; A-7550)
2700.70	am	(P-1546; A-7550)
2720.10	am	(P-1533; A-7537)
2720.30	am	(P-1533; A-7537)
2720.50	am	(P-1533; A-7537)
2720.55	am	(P-1533; A-7537)
2720.60	am	(P-1533; A-7537)
2720.70	am	(P-1533; A-7537)
2720.80	am	(P-1533; A-7537)
2733.20	am	(P-1571; A-7575)
2735.30	am	(P-1588; A-7592)
2735.40	am	(P-1588; A-7592)
2737.10	n	(P-1567; A-7571)
2737.20	n	(P-1567; A-7571)
2737.30	n	(P-1567; A-7571)
2737.40	n	(P-1567; A-7571)
2761.10	am	(P-1583; A-7587)
2761.20	am	(P-1583; A-7587)
2761.30	am	(P-1583; A-7587)

Title 35 (cont'd)	n	(P-3563; A-11277)	n	(P-6217; A-10348)	
301.373	n	(P-3563; A-11277)	611.740	n	(P-6217; A-10348)
301.411	n	(P-3563; A-11277)	307.4901	am	(P-5454; A-8421)
301.421	n	(P-3563; A-11277)	611.741	n	(P-6217; A-10348)
301.441	n	(P-3563; A-11277)	611.742	n	(P-6217; A-10348)
301.442	n	(P-3563; A-11277)	611.743	n	(P-6217; A-10348)
301.443	n	(P-3563; A-11277)	611.744	n	(P-6217; A-10348)
302.101	am	(P-3586; A-11249)	611.745	n	(P-6217; A-10348)
302.501	am	(P-3586; A-11249)	611.851	am	(P-6217; A-10348)
302.502	am	(P-3586; A-11249)	611.853	am	(P-6217; A-10348)
302.503	am	(P-3586; A-11249)	611.881	n	(P-6217; A-10348)
302.504	am	(P-3586; A-11249)	611.882	n	(P-6217; A-10348)
302.504	am	(P-3586; A-11249)	611.883	n	(P-6217; A-10348)
302.507	am	(P-3586; A-11249)	611.884	n	(P-6217; A-10348)
302.521	am	(P-3586; A-11249)	611.885	n	(P-6217; A-10348)
302.530	am	(P-3586)	611. Ap.A	am	(P-6217; A-10348)
302.535	am	(P-3586; A-11249)	611. Ap.F	n	(P-6217; A-10348)
302.540	am	(P-3586; A-11249)	611. Ap.G	n	(P-6217; A-10348)
302.545	am	(P-3586; A-11249)	611. Ap.H	n	(P-6217; A-10348)
302.555	am	(P-3586; A-11249)	651.101	am	(P-4142; A-8982)
302.560	am	(P-3586; A-11249)	651.102	am	(P-4142; A-8982)
302.563	am	(P-3586; A-11249)	651.103	am	(P-4142; A-8982)
302.565	am	(P-3586; A-11249)	651.104	am	(P-4142; A-8982)
302.580	am	(P-3586; A-11249)	652.111	am	(P-4149; A-8989)
304.213	am	(P-9657/98; A-687)	652.401	am	(P-4149; A-8989)
307.4000	am	(P-631; A-4413)	652.701	n	(P-4149; A-8989)
307.4001	am	(P-631; A-4413)	652.702	n	(P-4149; A-8989)
307.4002	am	(P-631; A-4413)	702.110	am	(P-4925; A-9359)
307.4003	n	(P-631; A-4413)	702.126	am	(P-4925; A-9359)
307.4004	am	(P-631; A-4413)	703.121	am	(P-4944; A-9381)
307.4005	am	(P-631; A-4413)	703.155	am	(P-18661/98; A-2153)
307.4006	am	(P-631; A-4413)	703.157	am	(P-4944; A-9381)
307.4007	am	(P-631; A-4413)	703.161	n	(P-4944; A-9381)
307.4008	am	(P-631; A-4413)	703.182	am	(P-4944; A-9381)
307.4009	am	(P-631; A-4413)	703.183	am	(P-4944; A-9381)
307.4010	am	(P-631; A-4413)	703.214	n	(P-4944; A-9381)
307.4011	am	(P-631; A-4413)	703.234	n	(P-4944; A-9381)
307.4012	am	(P-631; A-4413)	703.280	am	(P-18661/98; A-2153)
307.4013	r	(P-631; A-4413)	703.300	n	(P-4944; A-9381)
307.4014	r	(P-631; A-4413)	703.301	n	(P-4944; A-9381)
307.4015	r	(P-631; A-4413)	703.302	n	(P-4944; A-9381)
307.4016	r	(P-631; A-4413)	703.303	n	(P-4944; A-9381)
307.4017	r	(P-631; A-4413)	703.304	n	(P-4944; A-9381)
307.4018	r	(P-631; A-4413)	703.305	n	(P-4944; A-9381)
307.4019	r	(P-631; A-4413)	703.306	n	(P-4944; A-9381)
307.4020	r	(P-631; A-4413)	703. Ap.A	am	(P-18661/98; A-2153)
307.4021	r	(P-631; A-4413)	703.110	am	(P-4700; A-9094)
307.4022	r	(P-631; A-4413)	720.111	am	(P-18236/98; A-1704)
307.4023	r	(P-631; A-4413)	721.102	am	(P-18250/98; A-1718)
307.4024	r	(P-631; A-4413)	721.103	am	(P-18250/98; A-1718)
307.4025	r	(P-631; A-4413)	721.104	am	(P-18250/98; A-1718)
307.4026	r	(P-631; A-4413)			(P-18250/98; A-1718)
307.4101	r	(P-631; A-4413)			(P-18250/98; A-1718)
307.4900	am	(P-5454; A-8421)			(P-18250/98; A-1718)

TITLE 38 (cont'd)	1000.141	am	(P-8544)	600.305	r	(P-3246; A-12453)	600.802	r	(P-3246; A-12453)	655.70	r	(P-3675; A-8457)
	1000.142	am	(P-8544)	600.401	r	(P-3246; A-12453)	600.803	r	(P-3246; A-12453)	655.80	r	(P-3675; A-8457)
	1000.151	r	(P-8544)	600.402	r	(P-3246; A-12453)	600.804	r	(P-3246; A-12453)	655.90	r	(P-3675; A-8457)
	1050.250	am	(P-8555)	600.403	r	(P-3246; A-12453)	600.805	r	(P-3246; A-12453)	655.100	r	(P-3675; A-8457)
	1050.360	am	(P-8555)	600.404	r	(P-3246; A-12453)	600.806	r	(P-3246; A-12453)	655.110	r	(P-3675; A-8457)
	1050.410	am	(P-8555)	600.405	r	(P-3246; A-12453)	600.807	r	(P-3246; A-12453)	655.120	r	(P-3675; A-8457)
	1075.141	r	(P-8564)	600.406	r	(P-3246; A-12453)	600.808	r	(P-3246; A-12453)	655.210	r	(P-3675; A-8457)
				600.407	r	(P-3246; A-12453)	600.809	r	(P-3246; A-12453)	655.220	r	(P-3675; A-8457)
				600.501	r	(P-3246; A-12453)	600.810	r	(P-3246; A-12453)	655.230	r	(P-3675; A-8457)
				600.502	r	(P-3246; A-12453)	600.811	r	(P-3246; A-12453)	655.240	r	(P-3675; A-8457)
TITLE 41	120.10	am	(P-6786/98; A-162)	600.503	r	(P-3246; A-12453)	600.812	r	(P-3246; A-12453)	655.250	r	(P-3675; A-8457)
	120.11	am	(P-6786/98; A-162)	600.504	r	(P-3246; A-12453)	600.901	r	(P-3246; A-12453)	655.260	r	(P-3675; A-8457)
	120.20	am	(P-6786/98; A-162)	600.505	r	(P-3246; A-12453)	600.902	r	(P-3246; A-12453)	655.270	r	(P-3675; A-8457)
	120.500	n	(P-6786/98; A-162)	600.506	r	(P-3246; A-12453)	600.903	r	(P-3246; A-12453)	655.280	r	(P-3675; A-8457)
	120.1040	am	(P-6786/98; A-162)	600.507	r	(P-3246; A-12453)	600.904	r	(P-3246; A-12453)	655.290	r	(P-3675; A-8457)
	120.1100	am	(P-6786/98; A-162)	600.508	r	(P-3246; A-12453)	600.905	r	(P-3246; A-12453)	655.295	r	(P-3675; A-8457)
	120.1260	am	(P-6786/98; A-162)	600.509	r	(P-3246; A-12453)	600.906	r	(P-3246; A-12453)	655.298	r	(P-3675; A-8457)
	120.1260	am	(P-6786/98; A-162)	600.510	r	(P-3246; A-12453)	600.907	r	(P-3246; A-12453)	655.298	r	(P-3675; A-8457)
	120.Ap.A	n	(P-6786/98; A-162)	600.511	r	(P-3246; A-12453)	600.908	r	(P-3246; A-12453)	660.100	n	R-20426/98; A-21060/98; F-351)
	Ex.A	n	(P-6786/98; A-162)	600.512	r	(P-3246; A-12453)	600.909	r	(P-3246; A-12453)	675.10	r	(P-3664; A-8445)
TITLE 44	1.1040	am	(P-11762)	600.513	r	(P-3246; A-12453)	610.100	am	(P-14598/98; A-3421)	675.20	r	(P-3664; A-8445)
	1.2020	am	(P-2735) (E-2812)	600.601	r	(P-3246; A-12453)	610.100	am	(P-14598/98; A-3421)	675.30	r	(P-3664; A-8445)
			(P-2824; A-7075)	600.602	r	(P-3246; A-12453)	610.120	am	(P-14598/98; A-3421)	675.40	r	(P-3664; A-8445)
			(E-5869)	600.603	r	(P-3246; A-12453)	610.210	am	(P-14598/98; A-3421)	675.50	r	(P-3664; A-8445)
			(P-3246; A-12453)	600.604	r	(P-3246; A-12453)	610.300	am	(P-14598/98; A-3421)	675.60	r	(P-3664; A-8445)
			(P-3246; A-12453)	600.605	r	(P-3246; A-12453)	610.310	am	(P-14598/98; A-3421)	675.70	r	(P-3664; A-8445)
			(P-3246; A-12453)	600.606	r	(P-3246; A-12453)	610.320	am	(P-14598/98; A-3421)	675.80	r	(P-3664; A-8445)
			(P-3246; A-12453)	600.701	r	(P-3246; A-12453)	610.400	n	(P-14598/98; A-3421)	675.90	r	(P-3664; A-8445)
			(P-3246; A-12453)	600.702	r	(P-3246; A-12453)	610.410	n	(P-14598/98; A-3421)	675.100	r	(P-3664; A-8445)
			(P-3246; A-12453)	600.703	r	(P-3246; A-12453)	610.420	n	(P-14598/98; A-3421)	675.110	r	(P-3664; A-8445)
600.101	r	(P-3246; A-12453)	600.704	r	(P-3246; A-12453)	610.430	n	(P-14598/98; A-3421)	675.120	r	(P-3664; A-8445)	
600.102	r	(P-3246; A-12453)	600.705	r	(P-3246; A-12453)	610.440	n	(P-14598/98; A-3421)	675.130	r	(P-3664; A-8445)	
600.103	r	(P-3246; A-12453)	600.706	r	(P-3246; A-12453)	610.450	n	(P-14598/98; A-3421)	675.140	r	(P-3664; A-8445)	
600.104	r	(P-3246; A-12453)	600.707	r	(P-3246; A-12453)	610.500	n	(P-14598/98; A-3421)	675.150	r	(P-3664; A-8445)	
600.201	r	(P-3246; A-12453)	600.708	r	(P-3246; A-12453)	610.510	n	(P-14598/98; A-3421)	675.220	r	(P-3664; A-8445)	
600.202	r	(P-3246; A-12453)	600.709	r	(P-3246; A-12453)	610.520	n	(P-14598/98; A-3421)	675.230	r	(P-3664; A-8445)	
600.203	r	(P-3246; A-12453)	600.710	r	(P-3246; A-12453)	610.530	n	(P-14598/98; A-3421)	675.240	r	(P-3664; A-8445)	
600.204	r	(P-3246; A-12453)	600.711	r	(P-3246; A-12453)	610.540	n	(P-14598/98; A-3421)	675.250	r	(P-3664; A-8445)	
600.205	r	(P-3246; A-12453)	600.712	r	(P-3246; A-12453)	635.10	r	(P-3685; A-8459)	675.260	r	(P-3664; A-8445)	
600.206	r	(P-3246; A-12453)	600.713	r	(P-3246; A-12453)	635.20	r	(P-3685; A-8459)	675.270	r	(P-3664; A-8445)	
600.207	r	(P-3246; A-12453)	600.714	r	(P-3246; A-12453)	635.30	r	(P-3685; A-8459)	675.280	r	(P-3664; A-8445)	
600.208	r	(P-3246; A-12453)	600.715	r	(P-3246; A-12453)	635.40	r	(P-3685; A-8459)	675.290	r	(P-3664; A-8445)	
600.209	r	(P-3246; A-12453)	600.716	r	(P-3246; A-12453)	635.50	r	(P-3685; A-8459)	675.295	r	(P-3664; A-8445)	
600.210	r	(P-3246; A-12453)	600.717	r	(P-3246; A-12453)	635.60	r	(P-3685; A-8459)	685.10	r	(P-3617; A-8442)	
600.211	r	(P-3246; A-12453)	600.718	r	(P-3246; A-12453)	635.70	r	(P-3685; A-8459)	685.210	r	(P-3617; A-8442)	
600.212	r	(P-3246; A-12453)	600.719	r	(P-3246; A-12453)	635.80	r	(P-3685; A-8459)	685.215	r	(P-3617; A-8442)	
600.213	r	(P-3246; A-12453)	600.720	r	(P-3246; A-12453)	635.90	r	(P-3685; A-8459)	685.220	r	(P-3617; A-8442)	
600.214	r	(P-3246; A-12453)	600.721	r	(P-3246; A-12453)	635.00	r	(P-3675; A-8457)	685.225	r	(P-3617; A-8442)	
600.215	r	(P-3246; A-12453)	600.722	r	(P-3246; A-12453)	635.10	r	(P-3675; A-8457)	685.230	r	(P-3617; A-8442)	
600.301	r	(P-3246; A-12453)	600.723	r	(P-3246; A-12453)	635.20	r	(P-3675; A-8457)	685.235	r	(P-3617; A-8442)	
600.302	r	(P-3246; A-12453)	600.724	r	(P-3246; A-12453)	635.30	r	(P-3675; A-8457)	685.240	r	(P-3617; A-8442)	
600.303	r	(P-3246; A-12453)	600.725	r	(P-3246; A-12453)	635.40	r	(P-3675; A-8457)	685.245	r	(P-3617; A-8442)	
600.304	r	(P-3246; A-12453)	600.801	r	(P-3246; A-12453)	635.50	r	(P-3675; A-8457)	685.250	r	(P-3617; A-8442)	

[illegible]

[illegible]

Title 68 (cont'd)	1330.130	am	(P-12344)	1500.35	am	(P-12421)	250.330	am	(P-3306; A-9513) (E-3508)
	1340.20	am	(P-7053; A-11970)	1500.35	am	(P-12421)	250.435	am	(P-6088/98; A-1007)
	1340.30	am	(P-7053; A-11970) (P-11838)	1500.47	n	(P-12421)	250.1075	n	(P-6762)
	1340.50	am	(P-7053; A-11970) (P-11838)	1505.10	am	(P-12241)	250.1220	am	(P-6762)
	1340.57	n	(P-11838)	1505.30	am	(P-12241)	250.1240	am	(P-6762)
	1340.60	am	(P-7053; A-11970) (P-11838)	1505.40	am	(P-12241)	250.1250	am	(P-6762)
	1340.65	am	(P-7053; A-11970)	1505.52	n	(P-12241)	250.1260	am	(P-6762)
	1350.20	am	(P-6041/98; A-3999)	1701.Ap.A	am	(P-9998)	250.1280	am	(P-6762)
	1350.40	am	(P-6041/98; A-3999)	1780.25	am	(P-10082)	250.1290	am	(P-6762)
	1350.80	am	(P-6041/98; A-3999)	1816.46	am	(P-10056)	250.1320	am	(P-6762)
	1350.116	am	(P-6041/98; A-3999)	1816.49	am	(P-10056)	250.1510	am	(P-3306; A-9513) (E-3508)
	1350.117	am	(P-6041/98; A-3999)	1816.89	am	(P-10056)	250.2140	am	(P-6762)
	1360.30	am	(P-4379)	1816.111	am	(P-10056)	250.2470	am	(P-6762)
	1360.45	am	(P-4379)	1816.116	am	(P-10056)	280.1000	am	(P-6746)
	1360.50	am	(P-4379)	1817.41	am	(P-10027)	280.1020	am	(P-6746)
	1360.55	am	(P-4379)	1817.46	am	(P-10027)	280.2000	am	(P-6746)
	1360.60	am	(P-4379)	1817.49	am	(P-10027)	280.2010	am	(P-6746)
	1360.65	am	(P-4379)	1817.89	am	(P-10027)	280.2030	am	(P-6746)
	1360.70	am	(P-4379)	1817.101	am	(P-10027)	280.4010	am	(P-6746) (E-6913)
	1360.75	am	(P-4379)	1817.111	am	(P-10027)	280.4015	n	(P-6746) (E-6913)
	1360.90	am	(P-4379)	1817.116	am	(P-10027)	300.160	am	(P-6185/98; A-1103)
	1360.95	n	(P-4379)	1817.116	am	(P-10027)	300.163	n	(P-6185/98; A-1103)
	1380.240	am	(P-12395)	1817.121	am	(P-10027)	300.330	am	(P-13561/98; A-8106)
	1380.250	am	(P-12395)	1823.14	am	(P-10078)	300.620	am	(P-6185/98; A-1103)
	1380.270	am	(P-12395)	1840.11	am	(P-9991)	300.660	am	(P-13561/98; A-8106)
	1380.275	n	(P-12395)	1840.11	am	(P-9991)	300.661	am	(P-6185/98; A-1103)
	1380.280	am	(P-12395)	1840.14	am	(P-9991)	300.1020	am	(P-13561/98; A-8106)
	1380.310	am	(P-12395)				300.1025	am	(P-13561/98; A-8106)
	1456.5	r	(P-12382)				300.1210	am	(P-13561/98; A-8106)
	1465.30	am	(P-12382)				300.1220	am	(P-13561/98; A-8106)
	1465.40	am	(P-12382)	205.115	am	(P-7849)	300.1810	am	(P-13561/98; A-8106)
	1465.60	am	(P-12382)	205.1360	am	(P-7849)	300.2040	am	(P-13561/98; A-8106)
	1465.75	am	(P-12382)	205.1370	am	(P-7849)	300.2050	am	(P-13561/98; A-8106)
	1465.90	am	(P-12382)	205.1380	am	(P-7849)	300.2060	am	(P-13561/98; A-8106)
	1465.110	am	(P-12382)	205.1770	am	(P-7849)	300.2080	r	(P-13561/98; A-8106)
	1470.10	am	(P-14150/98; A-5712)	210.2500	am	(P-4394; A-12456)	300.Ap.A	r	(P-13561/98; A-8106)
	1470.20	am	(P-14150/98; A-5712)	215.100	n	(P-15517/98; A-4446)	300.Ap.C	r	(P-13561/98; A-8106)
	1470.60	am	(P-14150/98; A-5712)	215.200	n	(P-15517/98; A-4446)	330.160	am	(P-6166/98; A-1085)
	1470.80	am	(P-14150/98; A-5712)	215.300	n	(P-15517/98; A-4446)	330.163	n	(P-6166/98; A-1085)
	1470.90	am	(P-14150/98; A-5712)	215.400	n	(P-15517/98; A-4446)	330.163	n	(P-6166/98; A-1085)
	1470.95	am	(P-14150/98; A-5712)	215.500	n	(P-15517/98; A-4446)	330.330	am	(P-13352/98; A-8064)
	1470.96	am	(P-14150/98; A-5712)	215.600	n	(P-15517/98; A-4446)	330.330	am	(P-13352/98; A-8064)
	1470.97	n	(P-14150/98; A-5712)	215.700	n	(P-15517/98; A-4446)	330.720	am	(P-6166/98; A-1085)
	1470.99	am	(P-14150/98; A-5712)	215.700	n	(P-15517/98; A-4446)	330.911	am	(P-6166/98; A-1085)
	1480.135	am	(P-12408)	215.800	n	(P-15517/98; A-4446)	330.1130	am	(P-13352/98; A-8064)
	1480.140	am	(P-12408)	215.800	n	(P-15517/98; A-4446)	330.1135	am	(P-13352/98; A-8064)
	1480.160	am	(P-12408)	230.100	n	(P-15946/98; A-6907)	330.1710	am	(P-13352/98; A-8064)
	1480.170	am	(P-12408)	230.200	n	(P-15946/98; A-6907)	330.1940	am	(P-13352/98; A-8064)
	1480.190	am	(P-12408)	230.300	n	(P-15946/98; A-6907)	330.1950	am	(P-13352/98; A-8064)
	1480.195	n	(P-12408)	230.300	n	(P-15946/98; A-6907)	330.1960	r	(P-13352/98; A-8064)
	1500.10	am	(P-12421)	245.72	am	(P-6109/98; A-1028)	330.1980	am	(P-13352/98; A-8064)
	1500.11	am	(P-12421)	250.160	am	(P-6762)	330.Ap.A	r	(P-13352/98; A-8064)
	1500.30	am	(P-12421)	250.310	am	(P-6088/98; A-1007)	340.1000	am	(P-13397/98; A-7931)
	1330.130	am	(P-12308)	1285.90	am	(P-12308)	1330.99	am	(P-12344)
	1340.20	am	(P-12308)	1285.100	am	(P-12308)	1330.85	n	(P-12344)
	1340.30	am	(P-12308)	1285.101	am	(P-12308)	1330.91	am	(P-12344)
	1340.50	am	(P-12308)	1285.105	am	(P-12308)	1330.92	am	(P-12344)
	1340.57	am	(P-12308)	1285.110	am	(P-12308)	1330.93	am	(P-12344)
	1340.60	am	(P-12308)	1285.120	am	(P-12308)	1330.94	am	(P-12344)
	1340.65	am	(P-12308)	1285.130	am	(P-12308)	1330.95	am	(P-12344)
	1350.20	am	(P-12308)	1285.140	am	(P-12308)	1330.96	am	(P-12344)
	1350.40	am	(P-12308)	1300.10	am	(P-6374)	1330.97	am	(P-12344)
	1350.80	am	(P-6374)	1300.15	am	(P-6374)	1330.98	am	(P-12344)
	1350.116	am	(P-6374)	1300.20	am	(P-6374)	1330.99	am	(P-12344)
	1350.117	am	(P-6374)	1300.25	am	(P-6374)	1330.99	am	(P-12344)
	1360.30	am	(P-6374)	1300.27	r	(P-6374)	1330.99	am	(P-12344)
	1360.50	am	(P-6374)	1300.30	am	(P-6374)	1330.99	am	(P-12344)
	1360.55	am	(P-6374)	1300.35	am	(P-6374)	1330.99	am	(P-12344)
	1360.60	am	(P-6374)	1300.40	am	(P-6374)	1330.99	am	(P-12344)
	1360.65	am	(P-6374)	1300.41	am	(P-6374)	1330.99	am	(P-12344)
	1360.70	am	(P-6374)	1300.42	am	(P-6374)	1330.99	am	(P-12344)
	1360.75	am	(P-6374)	1300.43	am	(P-6374)	1330.99	am	(P-12344)
	1360.90	am	(P-6374)	1300.44	am	(P-6374)	1330.99	am	(P-12344)
	1360.95	am	(P-6374)	1300.48	am	(P-6374)	1330.99	am	(P-12344)
	1380.240	am	(P-6374)	1300.50	am	(P-6374)	1330.99	am	(P-12344)
	1380.250	am	(P-6374)	1300.60	am	(P-6374)	1330.99	am	(P-12344)
	1380.270	n	(P-6374)	1300.65	n	(P-6374)	1330.99	am	(P-12344)
	1380.275	n	(P-6374)	1300.Ap.A	n	(P-6374)	1330.99	am	(P-12344)
	1380.280	am	(P-6374)	1300.Ap.B	n	(P-6374)	1330.99	am	(P-12344)
	1380.310	am	(P-6374)	1300.Ap.C	n	(P-6374)	1330.99	am	(P-12344)
	1456.5	r	(P-6374)	1300.Ap.D	n	(P-6374)	1330.99	am	(P-12344)
	1465.30	am	(P-20739/98; A-5728)	1310.20	am	(P-20739/98; A-5728)	1330.99	am	(P-12344)
	1465.40	am	(P-20739/98; A-5728)	1310.30	am	(P-20739/98; A-5728)	1330.99	am	(P-12344)
	1465.60	am	(P-20739/98; A-5728)	1310.40	am	(P-20739/98; A-5728)	1330.99	am	(P-12344)
	1465.75	am	(P-20739/98; A-5728)	1310.50	am	(P-20739/98; A-5728)	1330.99	am	(P-12344)
	1465.90	am	(P-20739/98; A-5728)	1310.70	am	(P-20739/98; A-5728)	1330.99	am	(P-12344)
	1465.110	am	(P-20739/98; A-5728)	1310.80	am	(P-20739/98; A-5728)	1330.99	am	(P-12344)
	1470.10	am	(P-20739/98; A-5728)	1310.85	am	(P-20739/98; A-5728)	1330.99	am	(P-12344)
	1470.20	am	(P-20739/98; A-5728)	1310.100	am	(P-20739/98; A-5728)	1330.99	am	(P-12344)
	1470.60	am	(P-18820/98; A-2304)	1315.100	am	(P-18820/98; A-2304)	1330.99	am	(P-12344)
	1470.80	am	(P-18820/98; A-2304)	1315.110	am	(P-18820/98; A-2304)	1330.99	am	(P-12344)
	1470.90	am	(P-18820/98; A-2304)	1315.120	am	(P-18820/98; A-2304)	1330.99	am	(P-12344)
	1470.95	am	(P-18820/98; A-2304)	1315.160	am	(P-18820/98; A-2304)	1330.99	am	(P-12344)
	1470.96	am	(P-18820/98; A-2304)	1315.165	am	(P-18820/98; A-2304)	1330.99	am	(P-12344)
	1470.97	n	(P-123; A-5744)	1320.210	am	(P-123; A-5744)	1330.99	am	(P-12344)
	1470.99	am	(P-10103)	1330.60	am	(P-10103)	1330.99	am	(P-12344)
	1480.135	am	(P-12344)	1330.85	n	(P-12344)	1330.99	am	(P-12344)
	1480.140	am	(P-12344)	1330.91	am	(P-12344)	1330.99	am	(P-12344)
	1480.160	am	(P-12344)	1330.92	am	(P-12344)	1330.99	am	(P-12344)
	1480.170	am	(P-12344)	1330.93	am	(P-12344)	1330.99	am	(P-12344)
	1480.190	am	(P-12344)	1330.94	am	(P-12344)	1330.99	am	(P-12344)
	1480.195	n	(P-12344)	1330.95	am	(P-12344)	1330.99	am	(P-12344)
	1500.10	am	(P-12344)	1330.96	am	(P-12344)	1330.99	am	(P-12344)
	1500.11	am	(P-12344)	1330.97	am	(P-12344)	1330.99	am	(P-12344)
	1500.30	am	(P-12344)	1330.98	am	(P-12344)	1330.99	am	(P-12344)
	1500.30	am	(P-12344)	1330.99	am	(P-12344)	1330.99	am	(P-12344)

[illegible]

Title 77 (cont'd)		Title 80 (cont'd)	
2000.90	r (P-4361; A-10835) (E-4536)	1540.320	am (P-19525/98; A-3824)
2000.100	r (P-4361; A-10835) (E-4536)	1540.320	am (P-19525/98; A-3824)
2000.110	r (P-4361; A-10835) (E-4536)	1600.80	am (P-7707; W-8469) (P-8348)
2000.120	r (P-4361; A-10835) (E-4536)	1600.120	n (P-7707; W-8469) (P-8348)
2000.130	r (P-4361; A-10835) (E-4536)	1600.130	am (P-11522)
2000.140	r (P-4361; A-10835) (E-4536)	1650.180	am (P-11522)
2000.150	r (P-4361; A-10835) (E-4536)	1650.201	n (P-11522)
2000.160	r (P-4361; A-10835) (E-4536)	1650.202	n (P-11522)
2000.170	r (P-4361; A-10835) (E-4536)	1650.203	n (P-11522)
2000.180	r (P-4361; A-10835) (E-4536)	1650.204	n (P-11522)
2000.190	r (P-4361; A-10835) (E-4536)	1650.205	n (P-11522)
2000.200	r (P-4361; A-10835) (E-4536)	1650.206	n (P-11522)
2000.210	r (P-4361; A-10835) (E-4536)	1650.207	n (P-11522)
2030.620	r (P-11669/98; A-488)	1650.208	n (P-11522)
2030.810	am (P-11669/98; A-488)	1650.209	n (P-11522)
2057.101	re (A-11342)	1650.210	am (P-11522)
2057.105	re (A-11342)	1650.211	n (P-11522)
2057.110	re (A-11342)	1650.221	n (P-11522)
2057.115	re (A-11342)	1650.222	n (P-11522)
2057.120	re (A-11342)	1650.230	r (P-11522)
2057.125	re (A-11342)	1650.341	am (P-11522)
2057.130	re (A-11342)	1650.350	am (P-11522)
2057.140	re (A-11342)	1650.356	am (P-11522)
2057.145	re (A-11342)	1650.357	am (P-11522)
2057.150	re (A-11342)	1650.391	am (P-11522)
2057.155	re (A-11342)	1650.392	am (P-11522)
2057.160	re (A-11342)	1650.410	am (P-2080/98; A-3079)
2057.165	re (A-11342)	1650.450	am (P-11522)
2057.170	re (A-11342)	1650.451	am (P-11522)
2060.217	am (P-1206; W-9558)	1650.571	am (P-11522)
2060.341	am (P-4351; A-10803) (E-4488)	1650.575	am (P-11522)
2090.10	am (P-8748) (E-8832)	1650.1010	am (P-11522)
2090.20	am (P-8748) (E-8832)	2700.110	am (E-566) (P-378; A-6039)
2090.30	am (P-8748) (E-8832)	2700.310	am (E-566) (P-378; A-6039)
2090.35	am (P-8748) (E-8832)	2700.600	am (E-566) (P-378; A-6039)
2090.40	am (P-8748) (E-8832)	2700.610	am (E-566) (P-378; A-6039)
2090.70	am (P-8748) (E-8832)	2700.660	am (E-566) (P-378; A-6039)
2090.80	am (P-8748) (E-8832)	2700.730	am (E-566) (P-378; A-6039)
2090.100	am (P-8748) (E-8832)	2700.740	am (E-566) (P-378; A-6039)
2200.10	n (P-14377/89; A-1662)	2700.750	am (E-566) (P-378; A-6039)
2200.20	n (P-14377/89; A-1662)	2700.800	am (E-566) (P-378; A-6039)
2200.30	n (P-14377/89; A-1662)	2700.820	am (E-566) (P-378; A-6039)
2200.40	n (P-14377/89; A-1662)	3000.300	am (P-9592)
2200.50	n (P-14377/89; A-1662)	3000.400	am (P-9592) (E-11332)
2200.60	n (P-14377/89; A-1662)	TITLE 83	
2200.70	n (P-14377/89; A-1662)	411.190	n (P-10945/98; O-19664/98; R-20424/98; A-20042/98; F-346)
2200.80	n (P-14377/89; A-1662)	415.10	am (P-16091/98; A-1346)
2200.90	n (P-14377/89; A-1662)	415.20	am (P-16091/98; A-1346)
2200.110	n (P-14377/89; A-1662)	450.10	n (P-10947/98; O-19665/98; R-20425/98; A-20071/98; F-347)

Title 89 (cont'd)				Title 89 (cont'd)			
143.300 n	(P-4201; A-9865) (E-4292)	240.1605	am	(P-9623/98; A-2496)	315.70 n	(P-7770/98; A-2539)	376.30 n
143.400 n	(P-4201; A-9865) (E-4292)	240.1610	am	(P-15753/98; A-5642)	315.80 n	(P-7770/98; A-2539)	378.10 n
143.500 n	(P-4201; A-9865) (E-4292)	240.1650	am	(P-15753/98; A-5642)	315.100 n	(P-7770/98; A-2539)	378.20 n
144.100 am	(P-14039/98; A-932)	240.1660	am	(P-15753/98; A-5642)	315.110 n	(P-7770/98; A-2539)	378.30 n
146.130 am	(P-7846) (E-8256)	240.1661	am	(P-15753/98; A-5642)	315.120 n	(P-7770/98; A-2539)	402.8 am
146.205 am	(P-20769/98; A-5819)	240.1665	am	(P-15753/98; A-5642)	315.130 n	(P-7770/98; A-2539)	411.10 n
146.210 am	(P-20769/98; A-5819)	240.1720	am	(P-15753/98; A-5642)	315.140 n	(P-7770/98; A-2539)	411.15 n
146.215 am	(P-20769/98; A-5819)	240.1800	am	(P-15753/98; A-5642)	315.150 n	(P-7770/98; A-2539)	411.20 n
146.220 am	(P-20769/98; A-5819)	300.130	am	(P-5378)	315.160 n	(P-7770/98; A-2539)	411.20 n
146.225 am	(P-20769/98; A-5819)	301.20	am	(P-4237)	315.200 n	(P-7770/98; A-2539)	411.40 n
146.230 am	(P-20769/98; A-5819)	301.30	am	(P-4237)	315.210 n	(P-7770/98; A-2539)	411.45 n
146.235 am	(P-20769/98; A-5819)	301.40	am	(P-4237)	315.215 n	(P-7770/98; A-2539)	411.50 n
146.255 am	(P-20769/98; A-5819)	301.60	am	(P-4237)	315.220 n	(P-7770/98; A-2539)	411.55 n
146.290 n	(P-20769/98; A-5819)	301.80	am	(P-4237)	315.225 n	(P-7770/98; A-2539)	411.60 n
148.82 am	(P-21786/98; A-5784)	305.10	r	(P-7736/98; A-4398)	315.230 n	(P-7770/98; A-2539)	411.65 n
148.120 am	(P-4586)	305.20	r	(P-7736/98; A-4398)	315.235 n	(P-7770/98; A-2539)	411.70 n
148.140 am	(P-4176; A-7908) (P-7475) (P-7840)	305.30	r	(P-7736/98; A-4398)	315.240 n	(P-7770/98; A-2539)	411.75 n
	(E-8213)	305.40	r	(P-7736/98; A-4398)	315.245 n	(P-7770/98; A-2539)	411.80 n
148.295 am	(P-847; RC-6921; A-7115)	305.50	r	(P-7736/98; A-4398)	315.300 n	(P-7770/98; A-2539)	411.85 n
148.297 am	(P-7843) (E-8229) (P-8328)	305.60	r	(P-7736/98; A-4398)	315.305 n	(P-7770/98; A-2539)	411.90 n
153.100 am	(P-7843) (E-8229) (P-8328)	305.70	r	(P-7736/98; A-4398)	315.310 n	(P-7770/98; A-2539)	411.95 n
153.125 am	(P-7843) (E-8229) (P-8328)	305.80	r	(P-7736/98; A-4398)	316.10 n	(P-8597/98; A-2528)	411.100 n
160.10 am	(P-16966/98; A-2313)	305.90	r	(P-7736/98; A-4398)	316.20 n	(P-8597/98; A-2528)	411.115 n
160.20 am	(P-16966/98; A-2313)	305.100	r	(P-7736/98; A-4398)	316.30 n	(P-8597/98; A-2528)	411.120 n
160.60 am	(P-16966/98; A-2313)	305.110	r	(P-7736/98; A-4398)	316.40 n	(P-8597/98; A-2528)	411.125 n
160.61 am	(P-16966/98; A-2313)	305.120	r	(P-7736/98; A-4398)	316.50 n	(P-8597/98; A-2528)	411.130 n
160.65 am	(P-16966/98; A-2313)	305.130	r	(P-7736/98; A-4398)	316.60 n	(P-8597/98; A-2528)	411.135 n
160.70 am	(P-16966/98; A-2313) (P-11407)	305.140	r	(P-7736/98; A-4398)	316.70 n	(P-8597/98; A-2528)	411.140 n
	(E-11715)	309.20	am	(P-19309/98; A-11098)	316.80 n	(P-8597/98; A-2528)	411.145 n
160.75 am	(P-16966/98; A-2313)	309.50	am	(P-19309/98; A-11098)	316.90 n	(P-8597/98; A-2528)	411.150 n
160.88 n	(P-16966/98; A-2313)	309.105	am	(P-19309/98; A-11098)	316.100 n	(P-8597/98; A-2528)	411.155 n
160.110 am	(P-16966/98; A-2313)	309.130	am	(P-19309/98; A-11098)	316.110 n	(P-8597/98; A-2528)	411.160 n
160.130 am	(P-16966/98; A-2313)	309.170	am	(P-19309/98; A-11098)	316.120 n	(P-8597/98; A-2528)	411.165 n
240.230 am	(P-9623/98; A-2496)	309.190	am	(P-19309/98; A-11098)	316.130 n	(P-8597/98; A-2528)	411.170 n
240.260 am	(P-15753/98; A-5642)	312.10	n	(P-21140/98; A-6784)	316.140 n	(P-8597/98; A-2528)	411.175 n
240.400 am	(P-15753/98; A-5642)	312.20	n	(P-21140/98; A-6784)	328.1 am	(P-16691/98; A-5245)	411.180 n
240.410 am	(P-15753/98; A-5642)	312.30	n	(P-21140/98; A-6784)	328.2 am	(P-16691/98; A-5245)	411.185 n
240.480 am	(P-15753/98; A-5642)	312.40	n	(P-21140/98; A-6784)	328.3 am	(P-16691/98; A-5245)	411.190 n
240.715 am	(P-15753/98; A-5642)	312.50	n	(P-21140/98; A-6784)	328.4 am	(P-16691/98; A-5245)	411.195 n
240.728 am	(P-10605)	312.60	n	(P-21140/98; A-6784)	328.5 am	(P-16691/98; A-5245)	411.200 n
240.729 am	(P-10605)	312.70	n	(P-21140/98; A-6784)	328.100 n	(P-16691/98; A-5245)	411.205 n
240.1010 am	(P-15753/98; A-5642)	312.80	n	(P-21140/98; A-6784)	328.110 n	(P-16691/98; A-5245)	411.300 n
240.1440 am	(P-15753/98; A-5642)	312.90	n	(P-21140/98; A-6784)	328.120 n	(P-16691/98; A-5245)	411.305 n
240.1510 am	(P-9623/98; A-2496)	312.100	n	(P-21140/98; A-6784)	328.130 n	(P-16691/98; A-5245)	411.310 n
240.1520 am	(P-9623/98; A-2496)	315.10	n	(P-7770/98; A-2539)	328.140 n	(P-16691/98; A-5245)	411.315 n
240.1535 am	(P-15753/98; A-5642)	315.20	n	(P-7770/98; A-2539)	328.150 n	(P-16691/98; A-5245)	411.320 n
240.1550 am	(P-9623/98; A-2496)	315.30	n	(P-7770/98; A-2539)	356.40 am	(E-8461)	411.320 n
240.1555 am	(P-9623/98; A-2496)	315.40	n	(P-7770/98; A-2539)	356.50 am	(E-8461)	411.320 n
240.1560 am	(P-9623/98; A-2496)	315.45	n	(P-7770/98; A-2539)	360.3 -		411.415 n
240.1565 am	(P-9623/98; A-2496)	315.50	n	(P-7770/98; A-2539)	376.10 n	(P-19972/98; A-6791)	411.420 n
240.1580 am	(P-9623/98; A-2496)	315.60	n	(P-7770/98; A-2539)	376.20 n	(P-19972/98; A-6791)	411.425 n
							411.430 n

Title 89 (cont'd)		Title 89 (cont'd)	
686.270 n	(P-14518/98; A-499)	755.230 r	(P-16700/98; A-10146)
686.280 n	(P-14518/98; A-499)	755.240 r	(P-16700/98; A-10146)
686.1000 n	(P-59; A-6457)	755.250 r	(P-16700/98; A-10146)
686.1010 n	(P-59; A-6457)	755.260 r	(P-16700/98; A-10146)
686.1020 n	(P-59; A-6457)	760.10 r	(P-16779/98; A-10238)
686.1025 n	(P-59; A-6457)	760.20 r	(P-16779/98; A-10238)
686.1030 n	(P-59; A-6457)	760.30 r	(P-16779/98; A-10238)
686.1040 n	(P-59; A-6457)	760.40 r	(P-16779/98; A-10238)
686.1100 n	(P-59; A-6457)	765.10 am	(P-16848/98; A-10297)
686.1110 n	(P-59; A-6457)	765.20 am	(P-16848/98; A-10297)
686.1200 n	(P-59; A-6457)	765.30 am	(P-16848/98; A-10297)
686.1210 n	(P-59; A-6457)	765.40 am	(P-16848/98; A-10297)
686.1300 n	(P-59; A-6457)	765.50 am	(P-16848/98; A-10297)
686.1400 n	(P-59; A-6457)	765.60 am	(P-16848/98; A-10297)
686.1410 n	(P-59; A-6457)	765.70 r	(P-16848/98; A-10297)
750.10 n	(P-16783/98; A-10240)	765.80 r	(P-16848/98; A-10297)
750.20 n	(P-16783/98; A-10240)	765.90 r	(P-16848/98; A-10297)
750.30 n	(P-16783/98; A-10240)	765.100 n	(P-16848/98; A-10297)
750.40 n	(P-16783/98; A-10240)	765.110 n	(P-16848/98; A-10297)
750.50 n	(P-16783/98; A-10240)	765.120 n	(P-16848/98; A-10297)
750.60 n	(P-16783/98; A-10240)	765.130 n	(P-16848/98; A-10297)
750.70 n	(P-16783/98; A-10240)	765.140 n	(P-16848/98; A-10297)
750.80 n	(P-16783/98; A-10240)	765.150 n	(P-16848/98; A-10297)
750.90 n	(P-16783/98; A-10240)	765.160 n	(P-16848/98; A-10297)
750.100 n	(P-16783/98; A-10240)	765.170 n	(P-16848/98; A-10297)
750.110 n	(P-16783/98; A-10240)	765.180 n	(P-16848/98; A-10297)
750.120 n	(P-16783/98; A-10240)	765.190 n	(P-16848/98; A-10297)
750.130 n	(P-16783/98; A-10240)	765.200 n	(P-16848/98; A-10297)
750.140 n	(P-16783/98; A-10240)	765.210 n	(P-16848/98; A-10297)
750.150 n	(P-16783/98; A-10240)	765.220 n	(P-16848/98; A-10297)
750.160 n	(P-16783/98; A-10240)	765.230 n	(P-16848/98; A-10297)
750.170 n	(P-16783/98; A-10240)	765.240 n	(P-16848/98; A-10297)
750.180 n	(P-16783/98; A-10240)	765.250 n	(P-16848/98; A-10297)
750.190 n	(P-16783/98; A-10240)	765.260 n	(P-16848/98; A-10297)
750.200 n	(P-16783/98; A-10240)	765.270 n	(P-16848/98; A-10297)
750.210 n	(P-16783/98; A-10240)	765.280 n	(P-16848/98; A-10297)
750.220 n	(P-16783/98; A-10240)	765.290 n	(P-16848/98; A-10297)
750.230 n	(P-16783/98; A-10240)	765.300 n	(P-16848/98; A-10297)
750.240 n	(P-16783/98; A-10240)	765.310 n	(P-16848/98; A-10297)
750.250 n	(P-16783/98; A-10240)	765.320 n	(P-16848/98; A-10297)
750.260 n	(P-16783/98; A-10240)	765.330 n	(P-16848/98; A-10297)
750.270 n	(P-16783/98; A-10240)	770.10 r	(P-16821/98; A-10293)
750.280 n	(P-16783/98; A-10240)	770.20 r	(P-16821/98; A-10293)
750.290 n	(P-16783/98; A-10240)	770.30 r	(P-16821/98; A-10293)
750.300 n	(P-16783/98; A-10240)	770.40 r	(P-16821/98; A-10293)
750.310 n	(P-16783/98; A-10240)	775.10 r	(P-16831/98; A-10312)
750.320 n	(P-16783/98; A-10240)	775.20 r	(P-16831/98; A-10312)
750.330 n	(P-16783/98; A-10240)	775.30 r	(P-16831/98; A-10312)
751.10 n	(P-16722/98; A-10173)	775.40 r	(P-16831/98; A-10312)
751.20 n	(P-16722/98; A-10173)	775.50 r	(P-16831/98; A-10312)
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